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Heads warn of social upheaval

## Anti-school bias 'blights lives of boys'

By JOHN O'LEARY and DAVID CHARTER

WHITE working-class boys are getting caught in a vicious circle of under-achievement at school that could lead through truancy to a life of unemployment or crime and eventually cause social upheaval, education experts said yesterday.

Many boys are leaving school without basic skills, and their failure is described by the Chief Inspector of Schools as one of the most disturbing problems facing the education system.

Girls are now more successful than boys in every subject except physics, and children from almost all ethnic minorities are achieving better examination results than white boys from poor inner city areas, who are now the most likely to be completely unqualified at 16.



Woodhead: reason sought for boys' failure

Chris Woodhead, the chief inspector and head of the Office for Standards in Education (Ofsted), says that it is vital that an explanation is found for the boys' failure. Writing in *The Times* today, he points to bleak employment prospects and the absence of male role models in families run by single mothers, while his inspectors lay some of the blame on teachers. In a scathing indictment of schools in poor urban areas, Ofsted says that low expectations and monotonous teaching were contributing to a lack of motivation among pupils.

They concluded that there was evidence of an "anti-education culture" among working-class boys, and academics and head teachers predicted yesterday that social upheaval would follow if attitudes did not change.

An analysis of last year's inspection reports showed that although under-achievement by white working-class boys was most marked in secondary schools, it was becoming apparent among primary pu-

pils. The trend was also obvious from the social make-up of the special units — or "sin bins" — for pupils excluded from mainstream schools and of schools failing inspections.

One in eight failing secondary schools was boys-only and Ofsted said that the problems of many more were worse because they had a disproportionate number of boys. No girls-only school has been classified as failing.

Analysis of GCSE results in 12 London boroughs in 1994 showed that white teenagers were lagging behind all but their Afro-Caribbean counterparts, and a more recent survey in Liverpool showed children from ethnic minorities closing the gap on white pupils who have traditionally earned higher grades.

Standards in disadvantaged urban areas were much lower than elsewhere, Ofsted said, and inspectors found a "cycle of under-achievement, low expectation, monotonous provision and poor motivation".

In his *Times* article, Mr Woodhead expresses the fear that there is an explicit anti-educational culture among white working-class boys and says that their disruptive behaviour may be made worse by inadequate parental sup-

port. In his annual report, Mr Woodhead said that teachers in disadvantaged urban areas were often distracted by pastoral issues and recognised that many schools in such areas were having to provide support for parents. Today, he suggests that it might be necessary in future to educate children for parenthood.

He also points to the common perception that many minority communities have a greater commitment to education, a view echoed by David Hart, general secretary of the National Association of Head Teachers, who said that schools were facing insuperable difficulties arising largely from parental attitudes.

"In some areas, it is difficult to get white parents to meetings and too many boys are slipping into long-term unemployment and criminality," he said. "In the Asian community, particularly, there is an entirely different attitude to education."

Professor Alan Smithers, a government adviser and Professor of Policy Research at Brunel University, said the changing employment scene appeared to have affected many boys' attitudes to school. "Boys' prospects have diminished as their traditional work has dried up, while the new employment markets are more suited to girls' dexterity. It has become unfashionable for boys to work hard."

And while many traditional careers are disappearing, children are failing to acquire the computer skills they will need for new areas of employment, Ofsted said yesterday. Although both primary and secondary schools were enthusiastic about information technology, teachers lacked confidence and their equipment was inadequate.

Chris Woodhead, page 18



Eileen Pembroke, who brought to light allegations of sexual harassment

## Lawyers' code of conduct

By FRANCES GIBB, LEGAL CORRESPONDENT

SOLICITORS are likely to be issued with guidelines to help them to avoid allegations of sexual harassment.

Measure to be proposed in a report to the Law Society's governing body this week include the setting-up of a telephone "hotline" for solicitors complaining about how they are treated in their offices. The proposals have been drawn up in an effort to prevent any repeat of last year's furore over allegations of sexual harassment at the Law Society's headquarters.

The report includes a new definition of how solicitors should behave. It says that sexual harassment can take many forms and that it is for individuals to determine what behaviour is acceptable to them and what behaviour they regard as offensive.

However, it proposes guidance for the profession in the shape of a few examples. It explains that sexual harassment can include: unwelcome jokes, innuendoes, or remarks of a sexual nature; unwelcome pressure to socialise outside

work; unwelcome physical contact such as kissing, hand holding, groping or petting.

The proposals are certain to provoke a new dispute between the council and Martin Mears, its president and arch-opponent of political correctness. His views are strongly opposed by, among others, Eileen Pembroke, a member of the society's governing council. Mr Mears said yesterday: "I may well have something to say about this on Thursday. I am likely to

Continued on page 2, col 3

## Brussels keeps its eye on the ball with dawn raid on FA

By CHARLES BREMNER in BRUSSELS  
JOHN GOODBODY and PETER FOSTER

EUROPEAN Commission officials unexpectedly raided the Football Association headquarters in London yesterday in an investigation into a levy on footballs.

According to the commission, the collection of a levy of 80p by FIFA, the sport's governing body, for each football it approves may be a breach of European competition law. FIFA charges the 21 licensed manufacturers of balls in the world 80p for using the words "FIFA approved", 40p for carrying the logo "FIFA inspected", or they can carry free of charge the words "International Matchball Standard".

All professional matches have to be played with a ball stamped with one of the logos, generating a market of about five million footballs a year.

The inquiry was prompted by complaints from sport shops in Germany and the World Federation of Sports Goods Industry (WFSGI) who objected to the higher price they had to charge when the levy became effective in January.

Two Commission investigators and two observers from the Office of Fair Trading arrived without warning at 9am at the Football Association's headquarters in Lancaster Gate, London.

They were empowered under the Community's competition regulations to search the files of the marketing department, of Terry Venables, the England coach, and of Graham Kelly, chief executive.

Similar swoops were carried out at the offices of the French and Danish associations but FIFA itself was not raided because its headquarters are in Zurich, outside the jurisdiction of the Commission.

Willy Helin, a spokesman for the European competition commission, said the raid marked the opening of a full-scale investigation to determine whether the levy breached European law. The

Commission needs to know whether pressure is being applied to use logo-licensed balls and whether this discriminates against makers who do not take part.

Mr Kelly appeared bemused. "I thought it was a wind-up. Staff are aghast. It's not very nice to be treated like a common criminal. They are going through our desks looking for documents that just aren't there."

"I am baffled by the whole thing. We have not been doing anything. We do not license footballs and we do not operate the FIFA scheme in any way at all. The officials told us to co-operate or they would get out an injunction against us."

The Commission investigators are expected to return today to inspect more documents at the FA offices.

In Zurich, Flavio Battarini, head of FIFA's legal service, denied the charges. He said: "These raids have come as a surprise to us. The FIFA trademark must be protected. The money will go to the FIFA Youth Fund for the benefit of the sport throughout the world."

An estimated 40 million footballs are sold worldwide every year but only five million are competition balls.

The cheapest FIFA-approved balls cost £9.99, compared with £4.99 for non-approved versions. At the top of range is the Adidas Quatra, used in the 1994 World Cup, at £49.99.



### Fishing pledge

Ministers promised to win control of Britain's fishing grounds after a ruling allowed Spanish fishermen to sue after they were banned from them. Page 2

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## US censures Ambassador Kennedy after rift over Adams

By MARTIN FLETCHER and NICHOLAS WATT



Smith: infuriated over aides' protest

JEAN KENNEDY SMITH, the American Ambassador to Dublin, has been criticised by State Department investigators for punishing dissent within her embassy over her past support for Gerry Adams, the Sinn Féin leader.

The department's inspector-general found "a clear pattern of retaliation" by Mrs Smith against two diplomats who disagreed with the pressure she put on President Clinton to grant Mr Adams a visa before the IRA ceasefire.

Mrs Smith was said to have been infuriated when the diplomats used

the State Department's so-called "dis-sent channel" to voice their protests. The ambassador considered this an act of "disloyalty" that "undermined her authority", according to a confidential report. The report, which will be forwarded to Warren Christopher, the Secretary of State, claimed that the ambassador punished the diplomats by giving them "highly critical" job performance ratings.

The report goes to the heart of differences between State Department stalwarts, who were reluctant to bolster Mr Adams's position before the IRA ceasefire in August 1994, and the Irish American lobby which pressed hard to promote Mr Adams.

Many Irish Americans have criticised the State Department for being too willing to accept the British view on Northern Ireland, with some calling the department "10A Downing Street".

Mrs Smith, a prominent Irish-American and sister of Senator Edward Kennedy, was appointed personally to Dublin by Mr Clinton in 1993. She used her influence with the White House in early 1994 to press Mr Clinton to embrace Mr Adams eight months before the IRA ceasefire. Her persistence helped overcome the opposition of Britain, the American Embassy in London, the State Department, the Justice Department and the FBI.

Mrs Smith responded angrily last

year to Unionist claims that she was sympathetic to nationalists. In a letter to *The Times* she denied that she had "long been a supporter of the republican cause". Unionists said last night that the report vindicated their claims about the ambassador.

Mrs Smith said last night that she had nothing to add to a statement she made last week when reports first surfaced of differences within the embassy. The ambassador, who was informed of the *Boston Herald's* report last night during a trip to the United States, instructed the US embassy in Dublin to reiterate her initial statement. The State Department declined to comment.

### MI5 investigates Palestine charity

MI5 is studying police information on alleged links between Hamas militants and a Palestinian fund-raising organisation registered in London with the Charity Commissioners.

Police sources believe up to £1 million a year is being raised by the Palestinians Relief and Development Fund, also known as Interpal. Yesterday Michael Heseltine said that Hamas activists in Britain are being monitored.

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# Squeaking incomprehensibly, two species pass in the dark

Bats on the opposing sides of the Pennines speak different languages, according to the latest research. Britain's most common bat, the pipistrelle, had been thought to form a single species, but a new study suggests there may be two.

To one side of the Pennines, pipistrelles communicate using a sound system based on 45 kilohertz. They have pointed snouts. On the other side, snouts are snubbier, faces are pinker and the bats pitch their voice at 55 kilohertz. "We have

an east-west divide," an expert told the *Today* programme yesterday morning. That afternoon, experts observing Prime Minister's Questions noted an even more striking dichotomy. MPs have often been thought to belong to a single race, the human race. But study of their snouts, squeaks and general behaviour, suggests not only that they belong to two distinct races, but that these, too, are unable to communicate. Imagine a line drawn from the Speaker's Chair to the



MATTHEW PARRIS  
POLITICAL SKETCH

door, separating the two sides of the House. This is Westminster's Pennines. To Betty Boothroyd's right lies the land of the Tory bats. These have more pointed snouts and more tailored suits. They squeak at a lower frequency — often close to a grunt — and squabble ceaselessly among themselves.

Yesterday, their Prime Pipistrelle having flitted off to the Far East, they were led by his Deputy, a wily old bat called Heseltine. As so often with this tribe, opening hostilities

involved a skirmish with awkward bats on his own side. John Wilkinson (C, Ruislip & Northwood) demanded assurances over Spanish fishing in British waters. Nicholas Budge (C, Wolverhampton SW) delivered a menacing squeak on matters European. Heseltine, his radar system alert, took swift evasive action, dodging the question.

Over to the left of the Pennines a large bat with a snubbier nose was checking out his fit path. John Prescott was preparing to fly. "Ask about repossessions," said his briefing note. Every bat behind him had the same instructions. Their leader was away making a speech about repossessions, and Chief Whip Donald Dewar had arranged that the Parliamentary Labour Party provide the mood music for Tony Blair's extra-Parliamentary utterances. Labour fly in formation these days, controlled by high-frequency messages beamed from their leader but inaudible to the human ear.

Prescott asked Heseltine about repossessions. This is where the expert from *Today* would have been fascinated to note the parallelism of the two species. One bat appeared unable to make sense of the other bat's audio-signals. Heseltine's response — "Tory Government work!" — roused his side to an excited twitter, but hardly answered the squeak from over the divide.

Homeowner's saviour, page 11

## Britain challenges Spanish victory on fishing rights

By MICHAEL HORNSBY, ARTHUR LEATHLEY AND CHARLES BREMMER

MINISTERS promised yesterday to win control of Britain's fishing grounds after suffering a legal defeat that allows Spanish fishermen to sue the Government for banning them from British waters.

Britain is to challenge its European partners this month to make urgent changes to the law after the European Court of Justice ruled that Britain should not have barred Spanish-registered boats from British waters.

The move came amid growing anger over yesterday's ruling by the court which could force the Government to pay up to £30 million damages to Spanish-owned vessels that it banned from fishing for 15 months six years ago.

Tony Blair, the Fisheries Minister, called the judgment "crazy" and said the Government would insist the issue was discussed at the inter-governmental conference (IGC) on the future of the European Union which opens in Italy on March 29.

Of the European Court in a White Paper to be published this month.

One minister said that the court's decision would "whip up a frenzy that we could have done without" in advance of the White Paper. The Government is aware of the sensitivity of the fisheries issue in the wake of December's Commons defeat, when Tory Eurosceptics and MPs with constituency fishing interests sided with Labour.

Michael Heseltine, the Deputy Prime Minister, indicated the Government's readiness to confront other EU member states over fishing at the IGC when he told MPs of the Government's objections to the court ruling. "It is obviously a decision which we regret and one which we shall certainly take up in the context of the IGC. We believe that there have to be changes."

Mr Blair said: "The quota-hoppers have got to go. If it requires treaty changes, we will seek treaty changes. If new protocols are needed, we will seek them. But so far as we are concerned, our new charter of the seas is that UK fish should be for UK fishermen. The UK has a quota for the fish we can catch, but

clearly it is crazy if, for example, a Spanish-owned, Spanish-crewed and Spanish-skipped trawler fishing out of Spain, landing her catch back in Spain, is able to fish against our national UK quota."

He added: "I do not think there is any head of government in Europe who could stand up and rationally and sensibly justify the nationals of one member state taking the fish of the citizens of another member state."

Gavin Strang, the Opposition spokesman on agriculture and fisheries, said the Government should have acted much earlier. "The common fisheries policy was reviewed in 1992 and the Government missed that opportunity to secure the necessary adjustments."

Barrie Deas, chief executive of the National Federation of Fishermen's Organisations, said: "The court's ruling makes nonsense of the common fisheries policy."

The Spanish claims to compensation relate to 15 months in 1989 and 1990 when 90 Spanish-owned vessels were struck off the British register and forced to lay up, an action later judged illegal by the European court.



Earl Spencer after his £50,000 libel win yesterday

## Spencer urges sister to try life abroad

By TIM JONES

EARL SPENCER said yesterday that living abroad might help his sister, the Princess of Wales, to get her difficulties into perspective.

He said he and his estranged wife had decided to live in South Africa to find some "breathing space" to assess their lives. The Princess might benefit if she did the same, he said.

Lord Spencer went to South Africa with Victoria, his wife, because "she wanted to get away from things she didn't like in England and top of the list was her treatment by the tabloids". He was speaking after being awarded libel damages of £50,000 against the *Daily Express* over a series of articles which suggested that he was involved in the diamond fraud which led to his friend Darius Guppy being imprisoned.

He said that he did not know how long he would stay in South Africa, but that his wife would probably never return. "We are not planning to get back together again."

His libel action is estimated to have cost the *Daily Express* more than £170,000, including legal fees. He said he had returned to England to make two things clear: "One is that I see this as an important victory after two years of the *Daily Express* trying to wriggle out of it. The other is that I want to make it absolutely clear to all newspapers that, although I live on the other side of the world, I will still fight them if they question my integrity or honesty."

Mr Guppy, who was best man at the Spencers' wedding, was freed last month after serving three years of a five-year sentence for staging an insurance fraud that netted £1.8 million.

## Portillo decides to upgrade Tornados

By MICHAEL EVANS  
DEFENCE CORRESPONDENT

THE Defence Secretary has agreed to upgrade up to 100 Tornado F3 defence aircraft with two new air-to-air missiles and an improved radar at a cost of £125 million.

The choice — over a controversial proposal to lease American F16 fighters — will safeguard more than 5,000 jobs at British Aerospace and other sub-contractors.

Michael Portillo's special advisers had recommended leasing the American F16s, arguing that it would be a waste of money to fit new missile systems to the Tornado F3. They said the F16 would provide the RAF with an agile, versatile aircraft before the Eurofighter comes into service from about 2002.

The proposal caused alarm among RAF chiefs and at British Aerospace, which had recommended fitting the aircraft with an American advanced medium-range air-to-air missile (Aramm) and its own advanced short-range air-to-air missile (Astraam). Yesterday British Aerospace officials said the new missiles would guarantee the Tornado F3 a "fair" before hostile aircraft came into view.

In announcing the Tornado contract yesterday, James Arbutnot, the Defence Procurement Minister, said British Aerospace had been selected to lead the Tornado work. The aircraft is being fitted with a joint tactical information distribution system that allows details of enemy aircraft picked up on radars to be given instantly to the Tornado aircraft.

British Aerospace said that moves would be made to persuade other Tornado customers, such as the Saudis, to upgrade their aircraft with the two new missile systems.

The Tornado F3 will now run through to 2010. It will be replaced gradually by the Eurofighter, which is being developed by Britain, Germany, Spain and Italy.

## Queen's Chapel stays exempt from sex law

The Queen's Chapel at Windsor Castle was declared exempt from sex discrimination laws yesterday when an industrial tribunal ruled that it had the right to turn down a woman for a job in its all-male choir.

The tribunal, upholding 600 years of all-male tradition, due to its ancient charter which effectively excludes it from the Sex Discrimination Act. Dr Joan McDonough, a female baritone who used to sing with the Royal Choral Society, would have been the first woman to be employed as a lay clerk at the chapel since it was founded by Edward III in 1352. Her main duty would have been to sing in the choir.

She had applied for the £4,000-a-year baritone post after seeing it advertised last February in the *Church Times*, but was rejected. Dr McDonough conducted her own case with help from her husband, who is priest in charge at St John the Evangelist in Bailey, West Yorkshire. On hearing the decision of the Reading tribunal panel the 38-year-old, from Bailey, West Yorkshire, claimed she had secured a "moral victory". She said: "If the church is not at the forefront of good employment practice then I do not believe that it has the moral authority on other issues. I have no regrets about bringing this case because it has brought out into the open, the injustice of all-male church choirs."

## Right-to-die hearing

Five of Scotland's most senior judges met yesterday to consider whether doctors should have the right to end the life of a woman who has been in a coma for four years after a bungled suicide attempt. Janet Johnstone, 53, of Allanton, Strathclyde, has been in a persistent vegetative state since she took an overdose. The case has been brought by Law Hospital, Carlisle, with the backing of Mrs Johnstone's family, to allow her to die with dignity. Judgment will be announced later.

## Disquiet at sentencing

The Lord Chief Justice, Lord Taylor of Gossforth, is to voice fears tonight that the Government's plans for tougher sentencing could cause injustice. He is expected to argue in a speech that minimum sentences for recidivist burglars and drug traffickers would fetter judges' discretion, and that automatic life sentences for second-time rapists and violent offenders could lead to more murders. But he will make clear that he is not opposed to the plans on constitutional grounds.

## Corporate killing offence

Companies whose gross carelessness leads to the deaths of employees or customers should be open to a new charge of corporate killing, the Law Commission recommended yesterday. The Commission called for firms to be liable to an unlimited fine and an order to remedy the cause of death. It said inquiries into recent disasters had shown companies to be at fault, but there had been no successful prosecutions for manslaughter because of the need to identify a culpable individual when taking action.

## Drugs factory raided

Police have uncovered what is believed to be one of the biggest illegal drugs factories in Europe, capable of producing drugs with a street value of £15 million each week. The illegal operation, at Newton Flotman near Norwich, had the capacity to produce 600 kilograms of pure amphetamine — or 6,000kg of saleable drugs — per week. Police said the early morning raid followed an operation lasting many months. Four men and a woman were being questioned at Ilford police station in east London last night.

## Bar blacklists law firm

The Bar Council has blacklisted the firm of solicitors which sought legal aid for an armed robber to sue police who arrested him. Joseph Hill, the senior partner in the firm, is to appear before a disciplinary tribunal over an allegation of a failure to pay fees to barristers and experts involved in cases. A spokeswoman for the Bar Council said yesterday that there had been a number of complaints from barristers about non-payment of fees due to them from Mr Hill's north London firm.

## Police gunman in court

Committal proceedings began yesterday at Bow Street Magistrates' Court against a Scotland Yard marksman accused of blasting a suspected car thief to death. PC Patrick Hodgson, 49, is the first British policeman to be charged with murder while on duty. David Ewin, 38, died a fortnight after he was shot twice while driving a car in a barn, southwest London, with PC Hodgson clinging to the side of it. Ewin was on release half-way through a five-year sentence for armed robbery.

## EU may lift temazepam ban

By NICHOLAS WOOD  
CHIEF POLITICAL  
CORRESPONDENT

A GOVERNMENT ban on a popular sleeping pill blamed for hundreds of drug-related deaths could be overturned because it conflicts with European law. Last night, ministers were bracing themselves for another confrontation with the European Union amid fears that they were about to lose a High Court case

brought by the manufacturers of temazepam.

Senior Whitehall sources said that there was an "expectation" that the Government would lose the judicial review sought by R.P. Scherer Ltd after the decision in October to stop GPs prescribing gel-filled capsules of the drug. The ban was imposed from January after Michael Forsyth, the Scottish Secretary, said that it had created massive profits for drug dealers and been at

the root of an appalling crime wave.

Addicts have melted the capsules and injected the fluid — a highly dangerous practice because the gel solidifies in the veins, causing gangrene and leading to amputation of limbs. Ministers are worried that their move will be declared unlawful because the court will rule that, contrary to EU law, their ban went beyond what was necessary to tackle misuse of temazepam.

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## Law Society

Continued from page 1 express some degree of scepticism. I can think of better uses of the society's time and resources."

The examples of sexual harassment given in the proposals are intended to help solicitors in their interpretation of a new definition of sexual harassment which the council will also be asked to approve. This defines it as "unwelcome conduct of a sexual nature that detrimentally affects the working environment or leads to adverse work-related consequences for the victims of harassment or otherwise affects the dignity of women and men at work."

The measures have been drawn up in the wake of the dispute over allegations of sexual harassment against John Young, then deputy president of the Law Society, last summer. The allegations were first publicised by Ms Pembroke, although she did not name Mr Young. As a result, Mr Young withdrew his candidature from the Law Society presidential elections. In the contested elections that followed, Mr Mears was elected president on a populist and anti-establishment vote.

Since last year, the society's equal opportunities committee has reviewed complaints of sexual harassment involving the profession and looked at complaints procedures. One proposal is that staff might be trained to give advice and assistance in sexual harassment cases and even that a confidential telephone "hot line" should be set up.

In cases involving members of the society's governing council, the report says that, although the president of the Law Society may seek to resolve minor allegations informally, on balance they should be investigated independently by the Solicitors' Complaints Bureau.

## Major goes extra mile to woo firms with eastern promise

By PHILIP WEBSTER, POLITICAL EDITOR, IN SEOUL

JOHN MAJOR stepped up his campaign to woo the emerging economies of Asia yesterday as three more Korean electrical engineering companies announced that they have chosen to locate in Britain.

The Prime Minister underlined his determination to build on the growing trade and economic links between Britain and Korea by flying to Seoul at the end of a gruelling tour of Thailand and Hong Kong to hold his third meeting in a year with President Kim Young-Sam.

On a hectic day in the South Korean capital Mr Major attended signing ceremonies for four trade deals with a total

of £96 million between British and Korean companies. The new companies will supply components to the electronic giant Samsung, which opened in Cleveland last year with an initial investment of £300 million, expected eventually to grow to £2 billion.

The new deals include a business co-operation agreement between British Nuclear Fuels and Hanjung to supply technology for the building of spent fuel storage casks for Korea. Initially worth about £35 million, it is expected to grow to up to £2 billion.

The three new Korean investors in Britain — Fine Electromechanics, Sung Kwang Electromechanics and

Poong Jang — are to locate in the Deane Valley in South Yorkshire. They take the number of Korean companies who have chosen Britain as a manufacturing base to 19.

In a speech to the Federation of Korean Industry, Mr Major spoke of the enormous increase in economic ties between the two countries: British exports to Korea last year increased by 44 per cent, and Korean exports to Britain by 61 per cent.

He told Korean companies they could expect a warm welcome and would be treated exactly the same as British companies. "The case for coming to Britain is becoming stronger every day," he said.

## Pennine beasts on different wavelength

By PAUL WILKINSON

SCIENTISTS have discovered that bats in Yorkshire and Lancashire divided along the Pennines three million years before the roses separated their human counterparts.

Researchers have shown that Britain's commonest bats, the 21-long pipistrelles, that biologists have always believed to be alike, are in fact two different species. Studies indicate that they are separated neatly by the ancient line of hills.

The scientists have found that the bats from the Ridings even use different wavelengths from their cousins in the red rose county. The discovery was made by Dr Gareth Jones, from Bristol University, who was investigating the bats' "sonar" system.

Further investigation by John Altringham, senior biology lecturer at Leeds University, discovered that the pipistrelles he studied in a forest near Pickering in North Yorkshire all transmitted on 45 kilohertz. Those he watched around Lancaster all broadcast on 55 kilohertz.

He said yesterday: "At first we thought the bats had a range of signals, but closer examination showed they transmit on only one wavelength. They will mix together happily enough, but there seems to be no interbreeding. "It looks like we have an east-west divide. Both types are found in Lancashire and Yorkshire, but one type is



The tiny pipistrelle bat

much more dominant in Yorkshire; the other is more dominant in Lancashire." Further investigations showed further differences between the bats. Yorkshire pipistrelles seem to be more profligate and live a nomadic lifestyle, while the Lancastrians form more stable maternity colonies. The Lanc-

astrians also have pinker faces and the Yorkshires have more pointed snouts.

DNA testing of tissue shows there is enough of a difference to warrant two different Latin names for them. The Yorkshire bat is likely to keep the existing name while the honour of finding a title for the new species will fall to its discoverer, Dr Jones.

Mr Altringham said there was no obvious explanation for the apparent split in the species. "One possibility is that in the very distant past — possibly three million years ago — one species was actually divided by some kind of geological event and the two evolved in isolation. At some later stage they were able to mix again, but they had separated by so much that

they simply did not recognise each other as the same species any more."

Mr Altringham added: "We have a lot more work to do. Professionally I find them fascinating. Apart from dolphins they are the only mammals which use location, but frankly I think they are cute."

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# British clear film of child sex scenes barred by America

By DALYA ALBERGE, ARTS CORRESPONDENT

A FILM whose depiction of ten-year-olds indulging in sex and drugs was considered so offensive it was refused a general certificate in America has been approved by British censors.

Film critics on both sides of the Atlantic were unable to stomach the violence when *Kids* was shown in specialist cinemas. *The New York Times* said the children indulged in so much sex, it "made rabbits look lazy". Another reviewer said it was the "nearest yet that mainstream cinema has come to so-called kiddie porn". David Robinson, the film critic, described it as voyeuristic.

*Kids* is to be shown in cinemas around Britain from May 17, after the British Board of Film Classification (BBFC) decided to award it an 18 certificate.

The film, which explores adolescent sexuality in New York, features a 14-year-old girl who catches Aids after sleeping with the "Virgin Surgeon" who tries to avoid the disease by restricting himself to virgins. Throughout the movie, children lead promiscuous lives.

For the film-makers, "it offers an unflinching slice of areas of teenage existence which are hidden from parental view—areas of experiment with drink, drugs, violence, sex and petty crime". It is

believed that Scotland Yard sent officers from the paedophile and child pornography unit to a private screening. Larry Clark, the director, insisted that none of the actors was under 16, although those cast look younger.

James Ferman, director of the BBFC, said he was justified in allowing the film into this country: "The *New York Times* called this a 'wake-up' call to parents. It is about the fact that totally unsupervised kids are running wild, leading a promiscuous lifestyle. The result is that they just destroy themselves. It is one of the most painful films I have seen in the 21 years I have been doing my job."

"All the relevant tests of British law have been applied, and expert advice has been taken. That advice has not supported the view that the film was pornographic, nor did the board regard it as such."

He added: "As a harbinger of the future, it makes for very depressing viewing, even on this side of the Atlantic, but the board did not feel it appropriate to condemn the messenger for bearing such bad news."

Mr Ferman explained that proof of age was required for all the actors involved in the simulated sex scenes. "None was below the British age of consent; indeed, they were all

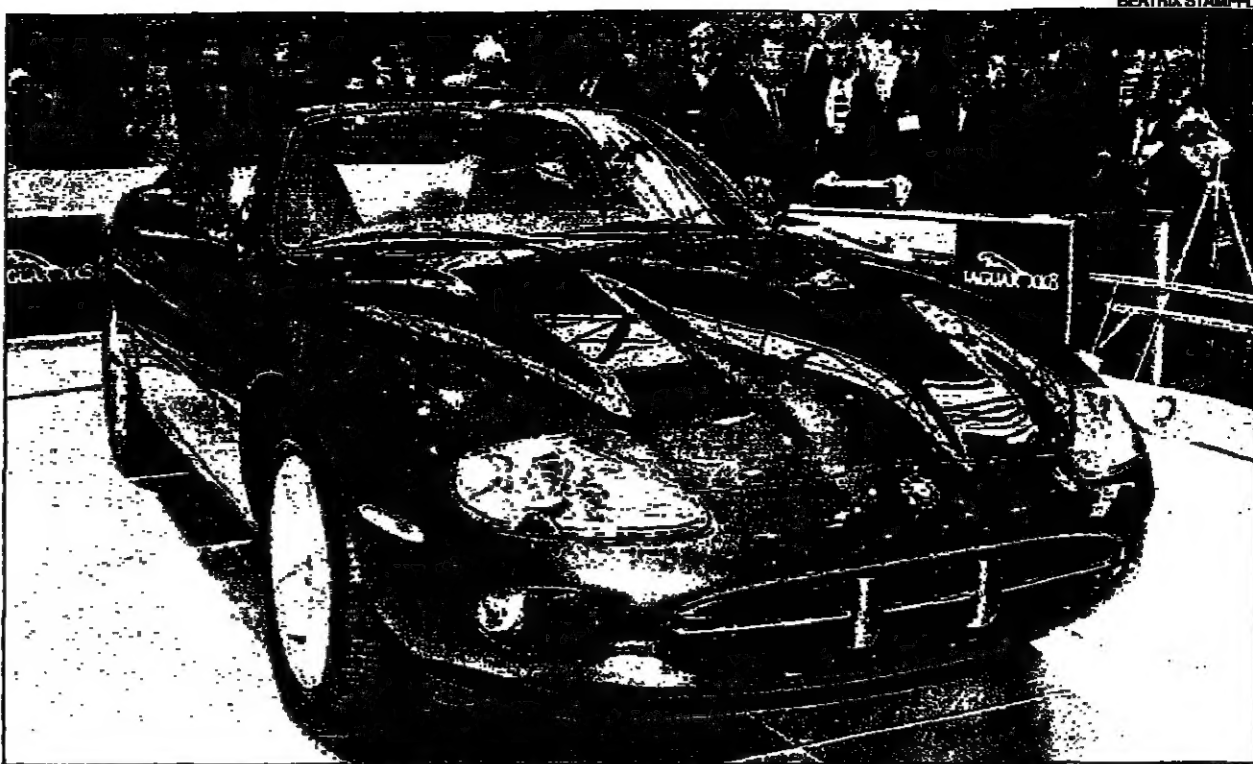
well above it. Nevertheless, cuts totalling just under a minute were made to remove some shots of minors which were not acceptable under the board's own strict policy, which has always erred on the side of caution in such matters."

Liz Wexon of Electric Pictures, the distributors, said: "Larry Clark's film is both highly courageous and strictly moral in its portrait of adolescent life and we are delighted to be releasing such an important landmark film."

Mary Whitehouse, the broadcasting campaigner, said: "I certainly do not agree with the fact that this film has received a certificate. The people who give these films certificates should have more sense, more care and more consideration on the impact these films have not just on children but on the adults too. It takes away their sense of care."

Among recent films that have been pushed at censorship barriers in recent years is Oliver Stone's *Natural Born Killers*, about the exploits of a couple who terrorise America's South West, murdering 100 victims. The film was alleged to have inspired actual killings in America and France. However, the BBFC found no significant basis for the claims.

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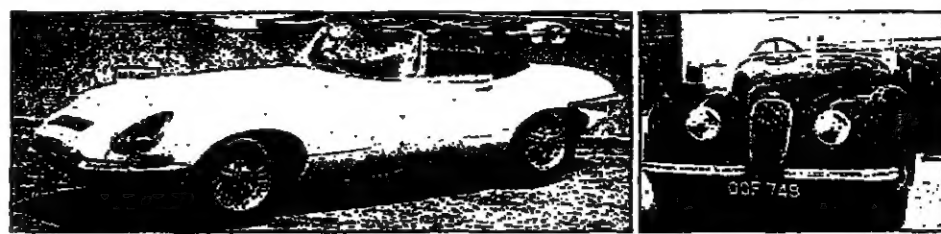
The new XK8 at the Geneva Motor Show. Despite nostalgia for past Jaguar sports cars, it has a Ford engine

## Jaguar's V8 supercar tempts buyers

By KEVIN EASON  
MOTORING EDITOR

CUSTOMERS are queuing to place orders for the new Jaguar supercar unveiled yesterday at the Geneva Motor Show more than six months before it goes on sale. Nick Scheele, chairman of Jaguar, said letters were piling up from people wanting to put their names down for the XK8, which will reach showrooms in October.

The XK8 was launched on a wave of enthusiasm and nostalgia for the maker's great sports cars of the past, even though it is the first Jaguar with a Ford engine—a four-litre V8. Customers



Famous forebears: the E-type, left, launched at Geneva in 1961, and the XK120

have been walking into H.R. Owen's dealership in west London offering deposits without even knowing the car's price, estimated to be about £50,000. Many are willing to swap their current Mercedes-Benz, BMW or Porsche. There will be few tears, however, for the 20-

year-old XJS model, which the XK8 replaces. It was a huge disappointment as successor to the definitive Jaguar sports car, the E-type, launched at Geneva 35 years ago.

Mr Scheele hopes the XK8, which will be made as a convertible and a coupé, will

be seen as the spiritual descendant of the E-type, the world's first 160mph production car. The XK8 is electronically limited to a top speed of 155mph. Britons can get their first sight of the XK8 at the Royal College of Art in London from Monday until March 20.

## L-driver to take 36th test in his own time

By JONATHAN PRYNN  
TRANSPORT CORRESPONDENT

A MAN who has spent ten years and more than £9,000 trying to pass his driving test has launched his 36th and final attempt to cast off his L-plates. Keith Murray, a self-employed publisher, is insisting that his next test, to be taken in April or May in London, more than 500 miles from his Aberdeen home, will be his last.

After posting his application to the Driving Standards Agency yesterday, he said: "I have promised myself that if I fail this time then someone, somewhere is saying 'You're not meant to drive'." Mr Murray, 36, who has had 1,450 lessons, and who at one stage spent up to £300 a week on taxis, buses and trains, said that he found the test ritual terrifying.

"The moment the white card comes through the door with the date I'm miserable for weeks," he said. His nerves have worsened with the rising tally of failures and he now dreads the examiner saying: "I'm sorry to have to inform you..."

Mr Murray has been failed on virtually every aspect of the test. The reverse parking manoeuvre, introduced in 1990, worries him most.

He is still short of the 48 tests taken by Gilt Kaur Randhawa, who passed in 1987 after 330 lessons. Because he is scared of flying, Mr Murray will travel to London by train, on a return ticket.

## Families may sue over Army cadets who died in fire

By ANDREW PIERCE

THE families of two officer cadets who died when their Land Rover turned over and burst into flames are taking legal action against the Army, which has so far failed to set up an inquiry.

Last May an inquest jury returned verdicts of death by misadventure on Rebecca Norris, 20, of Maidstone, Kent, and Karen Buttenshaw, 19, of Hunstanton, Norfolk. Karen's father Ian, a lieutenant-colonel who has been a soldier for 30 years, told *The Times* last night: "The Ministry of Defence has stifled, frustrated and blocked every attempt to discover what happened to my daughter. It is disgusting and makes you suspect a cover-up. We have no intention of going away."

At the inquest David Masters, the Wiltshire Coroner, urged a board of inquiry be set up after blaming a faulty petrol cap for the fire that killed the two best friends, who were students at Oxford Brookes University. Mr Masters questioned why Ms Buttenshaw, who was not a qualified driver, was allowed behind the wheel of an army vehicle without supervision.

The sergeant-major who was in charge of the 40 cadets taking part in the exercise on Salisbury Plain in October

1994 did not have relevant off-road instruction qualifications and rescuers were beaten back by flames because three of the seven fire extinguishers did not work.

Mr Buttenshaw, 48, a contract officer with the Army of the Sultan of Oman, who served for 15 years in the Zimbabwe Army and 12 months in the British Army, said last night: "I was told I could not attend the board of inquiry. I have not even been told if the inquiry has been set up let alone reported."

"I have been a soldier all my life and know how the Army should behave. I even had to pay my own air fare to Britain when Karen died."

On the exercise the friends were seen laughing and giggling in the Land Rover only minutes before it rolled backwards down a muddy three-in-one hill, somersaulted and burst into flames. Karen died instantly. Rebecca died in hospital four days later.

The inquest was told that the vehicle caught fire because petrol escaped from a fuel cap which had not been properly tightened.

An Army spokesman said: "The board of inquiry has not been finalised but will happen shortly. The families have the right to apply for the results."



Friends Rebecca Norris, left, and Karen Buttenshaw

## Bomb-plot animal rights man convicted

By A STAFF REPORTER

AN ANIMAL rights terrorist who plotted a bombing campaign was convicted yesterday of conspiring to commit arson.

Birmingham Crown Court was told during a five-week trial that David Callender, 37, of Waterloo, Merseyside, had been arrested after a tip-off from a shop assistant who became suspicious when he ordered 60 kitchen timers.

After his arrest, police uncovered a bomb factory at a safe house in Birmingham. Officers found enough devices to plant 100 firebombs and a list of potential targets.

With the bomb-making equipment, detailed plans were found referring to reconnaissance visits to target sites, levels of security and escape routes. Police believe a terror campaign was imminent, which would have caused extensive damage to property and possible risk to life.

The court was told that Callender, who has previous convictions for attacks in support of the Animal Liberation Front, began living at a house in Sparkhill, Birmingham, in 1994.

Police believe that others must have been involved in researching the targets and funding the campaign but have not traced them.

Among the intended targets were an agricultural college, food manufacturers, horse-breeds, foxhound associations, slaughterhouses and the Milk Marketing Board.

Callender had denied conspiracy to commit arson, but the jury returned a guilty verdict after 11 hours. Gregg Avery, 28, of Macclesfield, Cheshire, was acquitted of the same charge. He had claimed that although he was an animal rights supporter he had no idea what Callender was planning. Peter Matthews, the Recorder, adjourned sentence until today.

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## Widow stays cool as vampire bat kills 57-stone polar bear

THE father of the world's best-known polar bear has died after swallowing a six-inch plastic vampire bat. Barney, father of the Fox's Glacier Mints bear-cub Mintie, collapsed at Edinburgh Zoo, apparently after a child threw the toy into its enclosure.

Last night zoo staff said they were distraught over the death. However, Barney's lifelong partner, Mercedes, was coping well and, if anything, looking quite pleased, she said.

Widow bears are animals generally like to lead solitary lives and this certainly seems to be the case as far as Mercedes is concerned. "Since

Barney's death she seems to be a lot more outgoing and is enjoying herself more."

"She no longer has to compete with anyone over who gets first pick at the food and now she gets to sit on the best rock in the enclosure, which Barney had always occupied. She doesn't seem to be a grieving widow."

Barney was 20 years old and weighed more than 57 and lived at Edinburgh Zoo since it was a cub. A post-mortem examination found the plastic bat in its lower intestine.

Miranda Stevenson, curator of Edinburgh Zoo, said: "Barney was a handsome and very popular animal, and will be very much missed by all

visitors and staff. We hope his death will serve to highlight the dangers of litter both for zoo animals and animals in the wild, and to encourage people to behave more responsibly in this respect."

Barney was born at Whipsnade Wild Animal Park in 1976 and was delivered to Edinburgh in 1977. It was joined by Mercedes two years later. The pair had two cubs, including Mintie, a female, which appeared in the Fox's Glacier Mints advertisement in 1989. It was later sent to Antwerp Zoo in Belgium, where it died two years ago amid allegations of neglect.

Barney's skeleton is likely to go on display at the Royal Museum of Scotland.





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Parents left to follow ambulance through blizzard as son was transferred between four hospitals

## Judge condemns 'insensitive' NHS over dying boy

By Dominic Kennedy, Social Affairs Correspondent

MEDICAL authorities who took a dying ten-year-old boy to four hospitals during a 12-hour ordeal were condemned yesterday for "ghastly misjudgment".

A judge who compiled an official report on his treatment said that he was shocked by his investigation into the case of Nicholas Geldard, who died of a brain haemorrhage. The boy's parents, who drove across the Pennines at night in a blizzard before losing track of the ambulance, which was too full of equipment to carry them, said they were still angry and frustrated and would pursue legal action.

Nicholas was refused a scan because a £1 million machine, bought by public subscription to which the Geldards had donated, was available only in office hours. The radiologist on call could not be contacted at a hospital Christmas concert rehearsal.

Nicholas was transferred from Manchester to Leeds, where his family expected him to have an operation, though he was probably already brain-dead by the time he was put into the ambulance. Judge Bill Ashworth con-

demned the family's experiences at the hands of the National Health Service while accepting that Nicholas's brain condition, a ruptured aneurysm, was so rare that he probably would have died anyway. The case "revealed a curious mix of praiseworthy staff commitment, idiosyncratic call-out arrangements, ghastly misjudgment and insensitivity in sending Nicholas to Leeds General Infirmary, and a ponderous bureaucracy that bedevils clinicians seeking paediatric neurological and neurosurgical advice and treatment".

Nicholas had been playing with a friend on his computer at home last December when he was found by his mother unconscious and gurgling, his eyes shut and teeth tightly closed. When they were in the ambulance on the way to Stockport Infirmary, a paramedic allegedly said to his colleague: "Let's put on the blue light so's you can get home early for your tea."

At 5.11pm Stockport Infirmary asked for Nicholas to be urgently transferred to the paediatric ward at Stepping Hill Hospital, 2½ miles away,

but it took more than an hour to find an ambulance. Nicholas eventually arrived at 6.42pm. "We were surprised to learn that the ambulance department working definition of 'urgent' is between one and four hours," the judge said.

At 9.31pm the switchboard was asked to contact the radiologist to see if he could perform a scan at Stepping Hill. The radiologist could not be contacted because he was at the rehearsal, carrying his own radio pager whose number was on a switchboard notice but had been crossed out. The switchboard only had the numbers of two hospital-supplied pagers that he was not carrying.

The clinical director of radiology, who was not on call but was particularly experienced in emergency scanning, was contacted but was unable to leave his three children at home. He pointed out the scanner did not operate around the clock, a situation described by the judge as absurd.

Ann Coffey, Labour MP for Stockport, told the inquiry the public had not been told that the scanner it raised more

than a million pounds to buy in April 1994 was unavailable at night because the health service could not afford to run it.

Nicholas arrived at Hope Hospital, Manchester, at 2.35am where he was given a scan, but because there were no paediatric intensive care beds available in Manchester,

Liverpool or Sheffield, he was driven to Leeds where he arrived at 4.30am. "We were shocked to learn that distressed parents were left to drive 55 miles through a snowstorm at three o'clock in the morning to a hospital in a strange city," said the judge, who is chairman of East Lancashire Health Authority

and whose inquiry was commissioned by the North West Regional Health Authority. Nicholas was probably brain-dead by the time he arrived at Hope Hospital and the five-strong inquiry team strongly felt it was remiss of staff not to ask Nicholas's doctor to reconsider whether he should travel to Leeds. Cath

Geldard, Nicholas's mother, said last night: "We do not think the inquiry team listened carefully to the points we made. Many of the complaints we lodged have not been answered and we still think Nicholas may have been saved." □ Stephen Dorrell, the Health Secretary, will today

announce measures to improve intensive care units. The Commons announcement, which follows a year-long review ordered by his predecessor, Virginia Bottomley, is expected to tackle bed shortages, define intensive care and provide guidelines for the admission and discharge of patients.



Cath and David Geldard with a photograph of their 10-year-old son: "We still think Nicholas may have been saved"

## Bed shortage blamed for Leah organ move

By Stephen Farrell



Leah Betts died after taking Ecstasy at party

THE liver of Leah Betts, a teenager who died after taking Ecstasy, was sent to Spain because there were too few intensive care beds in British transplant centres. Two of the seven specialist hospitals capable of carrying out a liver transplant operation, had no intensive care beds available but only Addenbrooke's Hospital in Cambridge is known to have had a patient waiting. It was disclosed yesterday.

Professor Sir Roy Calne, consultant surgeon at Addenbrooke's, joined Leah's parents in condemning the shortage. "We were one of the hospitals which had to turn it down. The lack of intensive care beds, both in transplant and general surgery, is a very real problem," he said. Sir Roy, who carried out Britain's first

liver transplant operation 30 years ago, wrote to *The Times* last month, criticising the lack of beds and doctors.

"Fortunately in this case the liver was used by someone in Spain so it's not a tragedy. But it's a shame that it couldn't have been used by a British patient. I have now had to turn down 29 livers in just over a year because of a shortage of intensive care beds. In that time we have had 11 patients die on the waiting list."

Leah died on November 16 after taking Ecstasy on her eighteenth birthday at her parents' home in Letchington, Essex.

Vanessa Morgan, transplant co-ordinator for North Thames Region, insisted the authority followed standard procedure and notified all seven liver transplant centres in Britain first. When they were unable to use the organ, she offered it to continental Europe through the Euro-

Transplant service. She confirmed that of the seven transplant centres two had no beds and two were unable to take Leah's liver because surgeons were working on other cases. The other three had no suitable patients.

"Obviously if you can't place it in Britain you do feel a little bit disappointed, but then you just feel so relieved when Europe does take it. It is awful if you have to say to a family which has made the very brave decision to donate: 'I'm sorry, there were no recipients anywhere'."

Leah's parents did not know the liver had gone abroad. Her father Paul, 49, said: "I am glad it gave someone a new life. What does give me concern is that we are supposed to have the best health service in the world and yet there appear to be a lack of beds for transplant patients. Why couldn't it have been used here?"

## Cancer patient given new liver, pancreas and bowel

By Jeremy Laurence, Health Correspondent

A MAN aged 23 with advanced cancer has had a triple transplant in an attempt to save his life. Haldene Butler, of Omagh, Co Tyrone, received a new liver, pancreas and bowel in the radical operation, never attempted in the United Kingdom before.

Mr Butler was suffering from a rare cancer that had spread to his internal organs. He had undergone several operations in Belfast before being flown to St James's

University Hospital, Leeds, where a spokeswoman said the night-time transplant was "his last chance".

The eight-and-a-half hour operation was performed last week after a donor became available. Steve Pollard, the surgeon who led the team and who specialises in liver and small bowel transplants, said: "This is the first time a triple transplant has been carried out in the UK, possibly in Europe and maybe even in the world."

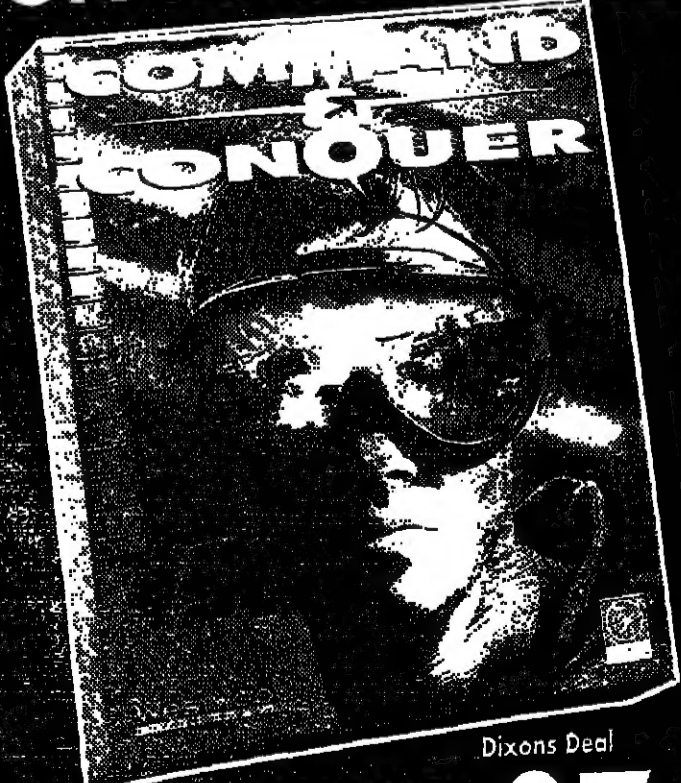
He added: "The operation was less difficult than we anti-

cipated and it went very well. We're delighted that Mr Butler has adapted well to his new organs." He was assisted by Peter Lodge, who specialises in pancreas transplants.

Mr Butler is expected to be up and about within days. If his progress continues he could leave hospital in about a month.

Walter and Lila Butler, his parents, are at his bedside with Julie Feather, his fiancée, who said: "Before the operation the rest of us were running round panicking, but he was wonderful."

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# One fifth of MoD's art collection goes Awol

By Nigel Williamson, Whitehall Correspondent

THE Ministry of Defence has "lost" almost 200 works of art, one fifth of its entire collection. The paintings, prints and drawings have gone absent without leave from official military residences, messes and even the offices of defence ministers. One print disappeared from a flat used by Tom King, the former Defence Secretary, in 1991.

The value of the missing works of art is not known, but the ministry's collection of about 900 items is worth in excess of £5 million. Several of the missing items are of "priceless historical rather than financial value".

The ministry realised in late 1994 that it did not know the whereabouts of 205 of the 900 works of art in its care. Inquiries subsequently located 21 of the 205 pictures. Of the

landson, missing from the room since 1991.

□ Ten sketches by Count D'Orsay stolen from the office of a civil servant at Northumberland House in June 1988.

□ Six lithographs of 19th-century parliamentarians by the *Vanity Fair* cartoonist Spy, stolen in November 1989 from a senior civil servant's office at Northumberland House.

□ Five paintings lent to the School of Infantry, Warminster, not seen for 28 years.

□ A print missing since 1991 from the flat in Admiralty House used by Mr King. The ministry is "continuing to look" for it.

David Clark, the Shadow Defence Secretary, said: "If defence ministers cannot even look after the departmental art collection, how can we expect them to manage Britain's defences?"

The audit office also found that the ministry is failing to look after many of the pictures it has managed to keep. Several pictures in mess dining rooms were found to be at considerable risk. At Dartmouth Royal Naval College, a painting of the Battle of Trafalgar by William Wyllie valued at £15,000 hangs above a hot stove and in direct sunlight. At the headquarters of the Adjutant General Corps at Worthy Down, Hampshire, a £22,000 canvas hangs above a working fireplace.

A ministry storeroom housing more than a hundred works of art awaiting display was found to have potentially harmful humidity.

The ministry has agreed to make its inventory more accurate and to conduct checks on works of art. It has appointed a specialist curator and has promised Sir John Bourn, the Auditor and Comptroller General, that it will "continue efforts to find the missing works".

□ Sir Denis Mahon, one of Britain's most respected art historians, has donated £10,000 towards the £3.5 million needed to keep a 17th-century Italian masterpiece in Britain. Guercino's *Erminia finding the wounded Tancred* had hung at Castle Howard in North Yorkshire since 1772. Heritage groups have nine days left to match the price paid by the Getty Museum in California.

Leading article, page 19



Officer of the 28th Foot, which vanished in 1992

other 184, only 23 are officially recognised as "stolen", the remainder are "lost in action". A ministry spokesman said: "The problem is one of record keeping. We think we've still got them but we are trying to find out where." MoD police have investigated many of the cases but no arrests have been made and no items recovered.

The National Audit Office, the independent watchdog of public expenditure, issued guidelines yesterday for the better management of the collection. Among the cases its report highlighted were:

□ An 18th-century portrait of an officer of the 28th Foot Regiment, missing from the offices of the Quartermaster General. His office was moved from London to Andover in 1992 and the picture, on loan from the National Army Museum, has not been seen since.

□ A print of the Admiralty boardroom by Thomas Row-

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The Nomad Players of East Horsley celebrate outside their dilapidated theatre

## Lottery cash buys stage presence for cowshed actors

By Dalya Alberge, Arts Correspondent

A VILLAGE amateur dramatics society is to move from a leaking cowshed to a purpose-built new theatre after being awarded almost £1 million of National Lottery funds.

The Nomad Players of East Horsley, Surrey, have received £911,000 to replace their present makeshift building with a modern design complete with enlarged stage, rehearsal room and 120-seat auditorium.

Geoffrey Partridge, the treasurer, said that they had been spending £4,000 a year on the shed "to hold it together": audiences could stick their arms through the walls. "On a winter's night, cold air comes in from Siberia and engulfs the audience."

The Arts Council, which had already given £50,000 to improve the theatre design, was impressed by their activities. Educational programmes and a theatre club involve hundreds of local enthusiasts. The age range of their 130-strong cast, currently rehearsing *The Importance of Being Earnest*, extends

from young children to a 93-year-old. Actresses such as Lia Williams are among many who have gone on to professional careers.

In contrast, two leading professional theatres in the area, the Yvonne Arnaud Theatre in Guildford and the Redgrave Theatre in Farnham, are short of funds. The Yvonne Arnaud will go dark within weeks, despite high-profile campaigning by Sir Derek Jacobi and Dame Judi Dench, and the Redgrave Theatre closed 15 months ago.

Mr Partridge said: "It's tough. But we're not in competition with them. We're helping to provide an audience for them in the future."

Bill Pearson, who has been involved with the Nomad Players for more than 30 years, said he sympathised with struggling professional theatres but added: "I believe we are deserving of the money we have received. I think we are the sort of organisation that the lottery is looking to fund. We have a long tradition of community drama."

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## Hidden snares of the spoken word

By Tunku Varadarajan

THE linguistic traps that lie in wait to snare the unwary speaker were uncovered last night by Jean Aitchison in the final offering of her series of Reith Lectures.

These snares are rooted in language and in the role that language plays in our lives. Professor Aitchison said. Man's oddest characteristic, compared with his nearest animal relations, is not his relative hairlessness, nor that he blushes. It is, as Professor Aitchison emphasised, his language.

The professor, who holds the Rupert Murdoch chair in Language and Communication at Oxford University, said that, unlike animals, "all normal humans can produce and understand any number of new words and sentences". But "the huge choice available to us also sets up snares".

Distinguishing between these worries and the "pseudo-worries" to which she referred in her first lecture, Professor Aitchison suggested that if speakers cleared their minds of "such anxieties as split infinitives, then they might have more energy left to notice genuine pitfalls". These are the traps that humans either make for themselves, or have made for

them by skillful persuaders — persuasion being, in the professor's opinion, one of the original uses of language.

The most straightforward of these snares is the "gobbledook syndrome". The professor defines gobbledook as pretentious or unintelligible jargon, although it must not be confused with technical vocabulary.

"Politically correct terms are sometimes labelled gobbledook, but this is not entirely justified," she said, observing that "PC hearts are in the right place, even if their tongues or pens are twisted up in sesquipedalian words".

Just as "gobbledook delays understanding and can also cause misunderstanding", the professor gave warning against the effects of facile word associations. Equally, she identified a powerful "frog-in-a-well problem". The reference is to a Chinese folk-tale about a frog that has lived all its life in a well. "One day it hopped out and was astonished to find what a limited view of the world it had always had."

An example of this is the use of generic "he" supposedly to refer to either sex. This, Professor Aitchison argues, "is far from neutral": studies show that women derive from this usage a sense of exclusion. (It should be noted that Professor Aitchison's "mar-tians" — who in her book *The Articulate Mammal* descend to Earth to observe our language — are always female.)

Her most abstruse argument related to metaphors and the dangers they conceal. "The phrase 'nuclear umbrella' might lead people to assume that nuclear devices are safety equipment," she said.

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## Missionary group ponders ways to spend £92m windfall

By RUTH GLEDHILL, RELIGION CORRESPONDENT

A LITTLE-KNOWN missionary organisation has leapt into the top 30 of the British charity league with a windfall of £92 million from the sale of a plot of land in Hong Kong.

The Council for World Mission, based in Westminster, with a British staff of just 15 and 62 missionaries worldwide, has found itself overnight ranked ahead of the British Red Cross in terms of investment income. The land had been bought from the Crown by the London Missionary Society in 1887, and two hospitals were built on it. In 1977 the Council for World Mission superseded the London Missionary Society. Three years ago, the Hong Kong administration moved the hospitals to another site and the council sold the land for £135 million.

Although well out-ranked by the Church of England, which has assets of £2.4 billion, the council will now become a central player on

the British and world Christian scene after being ranked No 29 in the Henderson Top 2000 Charities 1996. Members have called an extraordinary meeting in July to decide how to spend the cash.

A 12.5 per cent portion of the £135 million was given to a private hospital trust for medical and chaplaincy work in Hong Kong and nearly a quarter has been used to set up a churches' trust in Hong Kong and China. Even after this benefice, the Council for World Mission has found itself with £92 million — 65 per cent of the total sale.

"The injection of at least £92 million capital resources will make an enormous difference to the council's charitable potential," Dr Andrew Morton, the communications director, said. "So many requests in the past have been turned down for lack of funds; that situation will obviously change."

The council, hitherto one of

the less financially significant of the British registered charities, with an annual operating budget of £2.5 million and trust funds of £7.1 million, dedicates its resources to education, personnel and financial help for its member churches. Its main countries of activity are Botswana, India, Madagascar, the Solomon Islands and Taiwan. Its member churches also have missionaries in Jamaica, Korea, Nauru, Tuvalu and elsewhere.

It has six member churches in Europe, including the United Reformed Church, the Congregational Federation and the Presbyterian Church in Wales, and 24 outside.

Through its action and solidarity fund, the council has offered financial help to those affected by the volcanic eruptions in Papua New Guinea, the earthquake in India in 1994 and the recent drought in Zimbabwe. It has funded a maize mill in Malawi and a cattle farm in Samoa.



Steven Hanson with Simon: "He was desperate to get out of the school"

## Runaway pupil kept diary of year's bullying

By BILL FROST

BULLYING at school drove a 12-year-old boy to run away from home, his father said yesterday after reading details of the child's suffering in a diary.

Simon Hanson, of Woolmer Hill County Secondary at Haslemere, Surrey, vanished on Sunday. He was found asleep on a bench at Gatwick on Monday. Steve Hanson, his father, said: "A group of kids had been bullying him for about a year and he was desperate to get out of the school."

Mr Hanson discovered that his son had kept a diary. Entries in the hardback dark blue book —

"Personal Diary! 1996. Do not read my diary, it is private!" — spelt out how miserable his life at school had become. "This past week has been hell which is pretty normal. I go through each day as it comes, that's the only way really because each day is like hell on earth."

"You know the usual stuff, nasty comments, rude names, getting punched, kicked — and this is like a daily routine. It's roughly the same day after day, week after week and month after month — and there is no one I can tell. I've got to move schools soon — life at Woolmer Hill is certainly not going to get better, it's going to get worse."

Another entry told how Simon was persecuted on the rugby field. "I never got passed the ball. I was just standing there like a lemon and then xxx [the name of a pupil] started shouting at me and calling me names so I shouted 'Stop calling me names'."

"When suddenly the ball

came my way I missed it and the teacher pulled me out and told me I wasn't taking part properly. I tried to tell him xxx was shouting at me but he sent me around the football pitch so I missed out on the lesson and xxx got away free."

Mr Hanson, a social worker, was aware of his son's problems but not of their severity. "I had been writing some transfer forms but had put it off because I thought he cannot go on running away from his troubles. Then, only recently, I found a note which he had written, saying something along the lines of 'How can I go on in this living hell?'"

He has run away before but has always come back after a couple of hours. I thought this would be another token couple of hours," Mr Hanson said that he would seek to move his son to another school as soon as possible.

Alan Shean, Simon's Headmaster, said that he was surprised by claims that protracted bullying had compelled the boy to run away. "He has appeared happy. The only concerns that were brought to my notice in the past were dealt with promptly and to the best of my knowledge to the satisfaction of both Simon and his father."

A junior school has trained 12 children to deal with playground arguments and name-calling. Under a scheme planned by pupils, two are on duty each day in red sweatshirts blazoned with Buddy across the front.

They have been given role-play training at the 250-pupil Matthew Arnold school in Toxteth, Liverpool, to help them to cope with a range of situations.

## Brother finds boy, 12, hanging from bunk

A BOY was found hanging by his school tie from a bunk after being accused of theft.

Andrew Smith, 12, was found in his bedroom by Adam, his 10-year-old brother, on Friday. Andrew had been accused by a man of stealing the badge from the bonnet of his car near his school in Seaham, Co Durham, during the lunch break on Thursday. The boy, who was not a known troublemaker, was taken back to school by the man and was given a stern reprimand. The police were called to investigate.

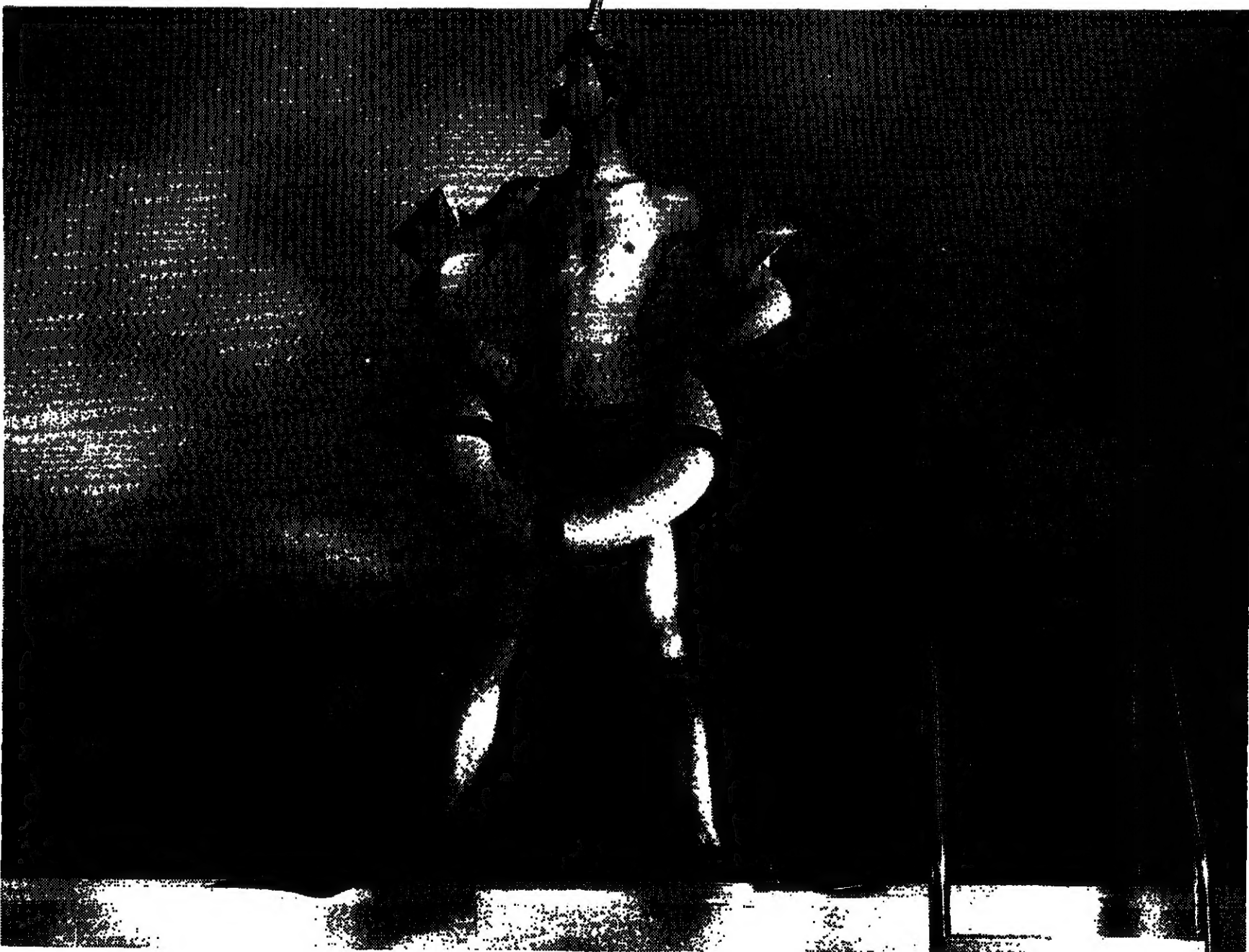
When Jeanette and Allan

Smith, his parents, heard about the incident, Andrew was sent to bed early. He was found dead the next day.

Durham police could not confirm whether Andrew's death was suicide or an accident. A spokesman said: "We were trying to make arrangements to speak to Andrew with his parents but had not done so at the time he died. He was not arrested for any offence at any stage."

A special assembly was held to break the news of Andrew's death to his classmates at Seaham Comprehensive School.

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**QUESTION: Is it true that we are spending £101 MILLION OF PUBLIC MONEY on a BYPASS around NEWBURY that will make little difference to most journey times, that will do considerable damage to protected countryside and heritage sites, that goes against the formal recommendations of our official advisors and that we haven't fully investigated cheaper and effective alternatives to the town's traffic problems?**

**ANSWER: Yes, Minister**

In 1988, a Public Inquiry gave the go-ahead for a second bypass around Newbury. The Government's preferred route was the one which its own Landscape Advisory Committee warned would cause "quite unacceptable" damage to an "intimate landscape".

## LOOK WHAT THE GOVERNMENT BYPASSED THEN...

The Inquiry was not allowed to examine the need for the bypass, or alternatives to it. They were missing a lot of other information too. Is this democracy?

## LOOK WHAT THE GOVERNMENT IS BYPASSING NOW...

A lot has changed since 1988. Look below to discover just how much.

### BYPASSING OFFICIAL ADVICE

● The Government's Standing Advisory Committee on Trunk Roads Assessment concludes that new roads can generate more traffic in three types of case. The Newbury bypass fits two of them.

● In 1994, the Royal Commission on Environmental Pollution reported that the unrelenting growth in traffic represents "possibly the greatest environmental threat facing the UK", and recommended that targets should be set to reduce car use and increase other forms of transport.

● The National Rivers Authority objects to the design of the road's proposed river crossings.

● The Government's Highways Agency admits that "For local traffic [in Newbury] the urban area around the A34 is congested and will remain so on completion of the bypass".

● The Royal Commission on Environmental Pollution recommends that the Government "investigate whether some towns and villages could obtain most of the benefits of a bypass more cost-effectively and with less environmental damage, through traffic management measures".

● The Highways Agency admits that, if the bypass attracts 20% extra traffic (as is likely), then the benefits of the bypass for most of Newbury would last only five to seven years after the road opens.

● English Heritage designates the 1st Battle of Newbury (1643) Civil War battlefield site as one of the most important battlefields in the country. The road goes through it.

● The Royal Commission on Environmental Pollution recommends that all transport policy decisions "be based on the identification and pursuit of the Best Practicable Environmental Option".

### BYPASSING GOVERNMENT POLICY

● The Government launches its 'Great Transport Debate' to help develop a sustainable transport policy.

● The Department of the Environment issues Planning Policy Guidance Note 13 (PPG13), which advises local authorities to reduce growth in the length and number of motorised journeys, to encourage alternative means

of travel with less environmental impact, and to reduce reliance on the private car.

● In 1993, the Government cancels the proposed trunk road through Oxleas Wood Site of Special Scientific Interest because it fails to meet the "high environmental standards we [the Department of Transport] now apply to new road schemes".

● In 1992, John Major signs the UN Convention on Biological Diversity, which commits nations to conserve their range of wildlife habitats and species.

● The European Union's directive on the conservation of wildlife habitats and species enters into force. Species and habitats that need to be protected are found on the route of the bypass.

● The Government's Sustainable Development Plan emphasises the importance of managing traffic demand, and cutting traffic levels.

● The Government publishes the report of its Biodiversity Steering Group. The report proposes targets for the conservation of many rare animals and plants. Several are found along the route.

● A Berkshire County Council transport strategy expresses four main themes: "cycling and walking, public transport, parking policy, and traffic management and constraint". Building new roads is not one.

### BYPASSING RESPECTED WILDLIFE AND HERITAGE ORGANISATIONS

● The Royal Society for the Protection of Birds opposes the road.

● The British Council of Archaeology opposes the road.

● The World Wide Fund for Nature opposes the road.

● The Wildlife Trusts opposes the road.

### BYPASSING PUBLIC OPINION

● The Government responds to 'widespread public concern' and in December 1994 began a one-year-long review of the road. The review was held in total secrecy, with no public participation, and cut short by almost six months. The decision to proceed was announced three hours before Dr Mawhinney left his post as Secretary of State for Transport.

● In February 1996, over 7000 people join a peaceful protest walk along part of the bypass route. This is the biggest anti-roads rally the UK has ever seen.

● In 1995, a local questionnaire survey in the Newbury area finds that 70% of local businesses who responded oppose building the road before alternatives are tried.

### BYPASSING COMMON SENSE

● Independent transport consultants analyse official transport figures and conclude that the road will provide 5-7 years' benefit before traffic rises to the present level.

● Friends of the Earth use the threat of legal action to force the Highways Agency to release figures that "justify" the road. The figures reveal that the bypass will save off-peak vehicles (the majority of drivers) only 2 minutes on a north-south trip via Newbury.

● Highways Agency figures reveal that 70% of the traffic on the existing A34 in Newbury is local traffic. The bypass will not relieve the congestion caused by it.

● Friends of the Earth commissions independent transport consultants (who have also advised the Government) to work out alternatives. Proposals have been drawn up to relieve Newbury's congestion. These could be implemented at a fraction of the cost of the road, and with no damage to protected countryside.

● It emerges that the Midlands to Southampton railway line can be upgraded to take many of the freight vehicles that drive through Newbury for £30-50 million. A convenient service can be introduced in the time it would take to build the bypass.

● Government research shows that levels of low-level ozone, the pollutant most linked to asthma, are often higher away from major roads. The population of Newbury cannot expect relief from this pollutant as a result of the bypass.

### BYPASSING LEGAL CONTROLS?

● Complaints are made to the European Commission over the British Government's failure to properly assess the environmental impacts of the road in accordance with European law.

● The European Commission's Ombudsman decides to admit a complaint that could lead to formal proceedings against the Government for breaches of environmental directives.

### BUT THE ROAD DOES NOT BYPASS THE NATION'S HERITAGE

● In 1995, the River Lambourn is designated a Site of Special Scientific Interest. The road goes over the SSSI and will obliterate adjacent marshland nature reserve and flood plain habitats under embankments nearly 200 metres wide.

● In 1995, the River Kennet is recognised as the most biologically diverse river in lowland England and is duly designated a Site of Special Scientific Interest. The road goes over the SSSI and obliterates adjacent floodplain habitats under embankments nearly 200 metres wide. Further habitat is lost to gravel pits dug to build the road.

● The Royal Society for the Protection of Birds recommends that Snelsmore Common Site of Special Scientific Interest be protected under the European Union's 'birds directive' because of the nightjars that live there.

● New research demonstrates that traffic noise prevents songbirds from breeding up to one kilometre from main roads.

● Because there is no proper biological survey, colonies of dormice living in on the route of the bypass are not found until six years after the decision to build the road is taken. Dormice are now rare, and are protected under British and European conservation laws.

● A rare snail (*Vertigo moulinsiana*), is found in large numbers near the route in what could be its British stronghold. The snails are protected under European conservation law, but could be affected by changes to their marshland habitat if the road is built.

● Badgers and their setts are protected from disturbance by the law. Despite earlier surveys by the contractors working for the Highways Agency, badgers and their setts are found on the route during initial clearance work.

● Despite protection under European law, bat roosting sites are removed by contractors.

● 12 sites of archaeological significance have been discovered in the path of the road. One in the Lambourn valley with mesolithic remains, is believed to be of national importance.

## THERE IS STILL TIME FOR COMMON SENSE TO PREVAIL

THERE IS  
STILL TIME  
TO STOP  
THE NEWBURY  
BYPASS BEING  
BUILT

The main contract to build the road has not yet been awarded. There is still time to stop this madness. There are alternatives. They can relieve the congestion. They are much cheaper. They will not damage irreplaceable wildlife, countryside or historic sites. They could reduce pollution, not increase it.

We believe the Government should listen to reason, follow official advice and implement its own policies. We believe the Government should halt the road. We believe the alternatives should be tried first.

If you think like we do, please do something now. Please ask your MP to take up this

urgent matter. Ask them to press for a suspension of work, and for a proper environmental impact assessment to be carried out whilst alternative transport solutions are implemented.

Please write also to Sir George Young, the Secretary of State for Transport, Department of Transport, 2 Marsham Street, London SW1P 3EB, and urge him to invest in the effective alternatives. And save tens of millions of pounds of public money, and the nation's precious heritage. You can write to your MPs at the House of Commons, London SW1A 0AA. If you are unsure who your MP is, then call the House of Commons on 0171 219 3000.

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# Judge backs Saudi dissident's plea to stay in Britain

By MICHAEL HORSNELL

AN ISLAMIC dissident ordered out of Britain in a move allegedly designed to protect arms sales to Saudi Arabia claimed victory yesterday when an immigration appeal rejected the arguments of the Home Secretary.

Muhammad al-Masari, who leads a fundamentalist campaign in London against the Saudi royal family, won an appeal hearing against deportation before the Immigration Appellate Authority. Judge Pearl, the chief adjudicator, ordered Michael Howard to reconsider his case for asylum.

The outcome could have a big impact on relations between Britain and Saudi Arabia as Britain seeks to protect the interests of companies with a stake in the £20 billion al-Yamamah arms deal and other substantial interests. Ministers have acknowledged that the decision to order the deportation of Dr Masari to the Caribbean island of Dominica was influenced by the need to maintain good relations with Saudi Arabia.

In his ruling, Judge Pearl said it appeared that an attempt had been made to circumvent the United Nations Convention on Refugees for "diplomatic and trade reasons". He ruled that the Home Secretary had failed to establish that Dominica was a safe

third country. Mr Howard had not, therefore, been entitled to refuse Dr Masari's application for asylum without "substantive consideration". The judge recommended strongly that Mr Howard consider the asylum application "as expeditiously as possible and certainly within one month".

He said that the history of Dominica illustrated "a considerable degree of political vulnerability, such that pressure placed on it to remove the appellant and expel him to Saudi Arabia may not be capable of being resisted".

Dr Masari, 47, who fears his life will be in danger if he goes to Dominica, has compared his situation to "kicking a pheasant in the air so it can



Howard: was ordered to reconsider asylum case

be shot". He said after the hearing yesterday: "I am thankful to God. I am very happy with the outcome. It's a great victory for myself. The reference back will put the Home Secretary under judicial, ethical and humanitarian pressure to allow me to stay in Britain. I will continue to campaign even if this embarrases the British Government in its relations with Saudi Arabia. That is life."

Dr Masari had earlier told the hearing that he established the Committee for the Defence of Legitimate Rights in Saudi Arabia in May 1993. Twelve months later he lost his job as a professor of physics, was held in detention and was tortured for six months.

After arriving in Britain with a Yemeni passport, he has waged a relentless campaign against what he calls the "evil al-Saud tyranny". He told the hearing that he sent 850 faxes a week to Saudi Arabia and 700 to the United States and Canada.

Judge Pearl said: "It is common ground that in these activities the appellant has committed no act which can amount to a criminal offence under English law. It is also common ground that his activities are designed to embarrass the Government of Saudi Arabia."

He referred to allegations



Muhammad al-Masari, with the Labour MP George Galloway, one of his backers, after the hearing yesterday

made during the hearing that the Saudi Government had been implicated in the extra-territorial assassination and kidnapping of political opponents and that Dr Masari might be a target. He said: "I do find that there is some suggestion, which is in no way fanciful, that the Saudi Gov-

ernment has been involved in extra-territorial violence in the past. I do not put it any higher than that."

He questioned the value of assurances by the Saudis that it intended Dr Masari no harm, and said that the British Government's willingness to accept such assurances had

to be viewed in the light of the Home Office trying to find a way of "disposing of the al-Masari problem".

Referring the case back to the Home Secretary for reconsideration was the only way to ensure "the highest standards of fairness", he said.

The Home Office said later:

"The Home Secretary is considering whether there may be grounds for an appeal to the Immigration Appeals Tribunal." Sources said they believed that Mr Howard did not have to accept the authority's recommendation and that they were taking legal advice.

## Car chased by police involved in fatal crash

A woman died in a car crash involving two day-release prisoners being chased by police. Maureen Gillespie, 53, of Maidstone, Kent, was killed instantly in the head-on crash near Tonbridge with the inmates who were returning to Blantyre House jail on Monday night. Jade, her two-year-old granddaughter, was taken to hospital with fractures.

The prisoners, both in a serious condition in Maidstone General Hospital, were on their way back from work near Sidcup when they were seen speeding by police on the M20, and pursued. The Police Complaints Authority is to supervise an inquiry.

## 18 horses killed in arson attack

Eighteen horses died and four were injured in what is thought to have been an arson attack on livery stables at Criel Farm, near Shadoxhurst, Kent. At least 12 horses were saved. Tony Fraser, brother of Brian Fraser, owner of the farm, said a car had been driven into a barn and set alight. "It is an horrific and disgusting thing to do," Detective Inspector Gerald Smith said. "You can imagine the grief and misery caused."

## Bypass arrests

Police arrested 21 demonstrators on two sites of the proposed Newbury bypass. They also criticised the protesters' tactics after finding a ball containing 2ft 6in sharpened spears on another site.

## Order to leave

Squatters who set up an "estate agency" of vacant premises have been ordered out after eviction proceedings were brought at Brighton County Court by Brighton Council, which owns the shop.

## House rejected

A mother of 11 children has rejected a ten-bedroom house built for her in Swansea. Gaynor Draper said she had suffered abuse from neighbours over the housing association offer.

## Wormed away

Birds' diet may be suffering because drugs developed to combat parasites in livestock are causing a decline in the amount of insects and worms in droppings, according to the British Trust for Ornithology.

## Long-life family

Florie Burgess, of Catford, southeast London, is due today to become the fourth family member to receive a 100th birthday message from the Queen. Her brother and parents all lived to 100.

## Rickshaw recruit

An Oxford University classics student has become Britain's first licensed rickshaw driver. Polly Low, 22, will be one of a team of 25 pedalling tourists around the city when the service starts at Easter.

## Deep-sea dump hailed as answer to waste mountain

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

A DEEP-SEA dumping ground served by submarine "gliders" could be the answer to the world's growing waste mountains. Researchers believe the site, which is more than 6,000 metres deep, can lock away hazardous materials for ever and will prevent coasts becoming polluted.

Scientists who have carried out the research on behalf of the United States Congress have identified a 3,000 square metre site in the Atlantic as a potential dump for the world's rubbish. They have also suggested various techniques that could safely transfer the wastes from a cargo ship to the sea floor. One technique would involve a giant tower, 90 metres high, which would pump waste from the cargo

ship directly to the disposal site.

Another technique, outlined at the Oceanology International conference in Brighton, would involve an underwater vessel resembling a submarine. The "glider" would descend to 200 metres above the dumping site under the weight of its cargo before releasing hazardous wastes in specially designed, double-thickness plastic bags.

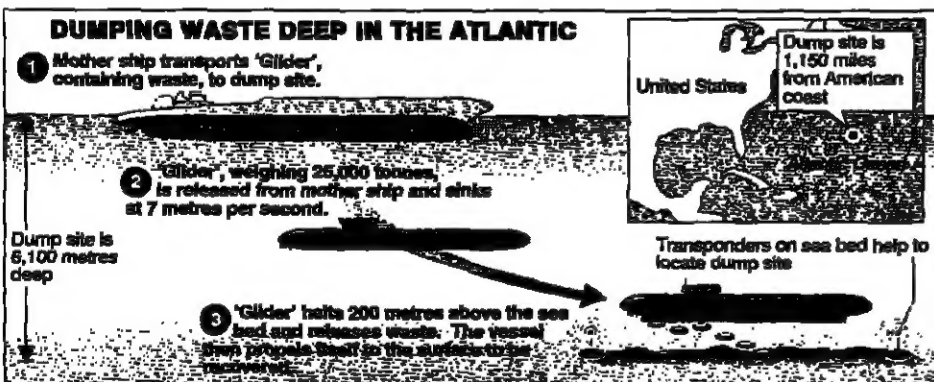
On impact, sensors able to detect chemicals leaking from the bag would ring the disposal area. The "glider" would then switch on its engines to return to the surface.

Dr Philip Valent, of the Marine Geosciences Division at the Naval Research Laboratory in Missouri, said yesterday

that the glider strategy would help to protect fish and other marine life.

The project, funded through the United States Defence Department, comes at a time of growing concern over the disposal of hazardous wastes on land. Deep-sea disposal at the right depth and in the right place will lock away the pollution permanently.

Dr Tony Rice, of Southampton University's Oceanographic Centre and a scientist studying the potential for the oceans to take waste, said that an internationally run deep-sea disposal site, endorsed by the United Nations International Maritime Organisation, could have the political support to counter environmentalists' fears.



## Protest on cigarettes deal fails

By JEREMY LAURANCE, HEALTH CORRESPONDENT

THE rules governing tobacco advertising are "a sham and a disgrace", medical organisations said yesterday after exposing a loophole that allowed a tobacco company to make unrealistic offers to smokers.

A 20-a-day smoker who wanted a CD player from the gifts offered by Benson and Hedges would take 7½ years to amass the points, but the promotion is scheduled to last only 18 months. The gifts include cars and toys.

Pamela Furness, director of Action on Smoking and Health (ASH)—which with the British Medical Association and the Health Visitors' Association complained to the Advertising Standards Authority and the Committee for Monitoring Agreements on Tobacco Advertising and Sponsorship—said the promotion required points to be collected for an unreasonable time and breached the spirit of the voluntary code on tobacco advertising by associating smoking with the raising of a family.

However, the complaints were rejected because there are no powers to regulate the content of promotional material handed out to individuals or sent to their homes.

## Modern medicine fails to prevent the return of TB

AFTER antimicrobial drugs that could cure tuberculosis were introduced, the Western world had thought that the disease could be consigned to history. Tuberculosis is, however, increasing.

The magazine *Doctor* reported recently that in Edinburgh, where there is little immigration, there was an increase in the years 1988-92 of 4.1 per cent in the number of cases recorded among people over 65. During the same period there was a 12.6 per cent rise in the incidence of tuberculosis in younger patients.

The research workers, from the Royal Infirmary in Edinburgh, demonstrated that so far as the elderly were concerned, neither immigration nor HIV, the two factors usually blamed for the increase of tuberculosis and its increased resistance to antibiotics, were entirely to blame. Most of the cases in the elderly were the result of reactivation of tuberculosis caught in childhood or youth, often contracted before the Second World War and before the antibiotic era. The older the patients the more likely it was that the disease would again become a menace to their health, and to their family.

In Britain TB is still eminently treatable and we are not yet having to face



Dr Thomas Stuttaford

widespread multiple drug resistance such as occurs in the United States. A few years ago a very senior banker came to see me before taking up another job. Although he was feeling perfectly fit his routine pre-employment medical revealed that he had caught tuberculosis, probably while travelling in some far away place.

I recommended that he should start treatment and take a few weeks off work before taking up his new appointment. To my surprise the chest physician to whom I had referred him said that time off work was in his case an unnecessary precaution; treatment had become so efficient that he could have started his job on time. In other places in the world resistance to anti-tuberculosis drugs is growing and in some places the disease is reaching epidemic proportions. In those countries both the increased resistance, and the increased numbers, are al-

most entirely the result of the spread of HIV and the development of Aids.

Patients who have Aids lose their immunity to otherwise controllable diseases and TB is among those which become rife when medical services are inadequate and the necessary drugs are not available.

In Britain, areas with large immigrant populations are an important factor. The British Thoracic Society report that in those areas incidence is 25 per cent higher among newcomers than among the indigenous residents. Dr Peter Ormerod, of the British Thoracic Society, said: "There is no room for complacency about TB in Britain. Local TB services need to be strengthened and must include adequate staff. This country has relatively low rates of tuberculosis. If the current recommended code of medical practice is fully implemented it will help to minimise its spread, and keep the disease under control."

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# Blair presents Labour as the homeowner's saviour

By JILL SHERMAN, POLITICAL CORRESPONDENT

TONY BLAIR outlined plans yesterday to rescue people from negative equity and to expose mortgage lenders that charge the highest commission fees.

He presented Labour as champion of the homeowner saying that the Tories were now the party of "repossessions, broken dreams and falling house values".

The Labour leader told a conference in London: "Many of the people who have tried to fulfil their dream have been let down. Homeowners kept their side of the contract. The Tories just tore it up."

He condemned bad housing advice, saying that some people had been sold unsuitable mortgages, often unaware that salespeople had earned extra commission for pushing a particular type of loan. "That situation has to change," he said.

"Lenders have nothing to fear from letting their customers know exactly what the costs are for the services they provide. They should publish full information on charges and commissions so that con-

sumers know where they stand." Labour officials said that this could lead to league tables of mortgage lenders, showing which levied the highest charges.

Mr Blair said that there was also a strong case for bringing mortgages under the Financial Services Act to ensure that customers were guaranteed adequate advice. He also said that people should be able to borrow a loan covering the full cost of their house, plus the negative equity from their previous home. But he made clear that borrowers would have to reassure lenders that they had a good repayment record, that they were in stable employment and could meet the new repayments.

"It is not a scheme suitable for everyone, but it could be a further mechanism which would help get the market moving again."

Mr Blair called for more flexible mortgage schemes, saying that he welcomed lifestyle mortgages that allowed "payment holidays" to cover the birth of a child. He also favoured avoiding repossession

sions by the increased use of "flexible tenure" schemes, where building societies lent funds to a housing association so that it could buy a property and allow the occupiers to stay as tenants.

He made clear, however, that he was not turning his back on council housing. "I want to set out a picture of housing in which Labour supports the aspiration of the majority of people to own their own homes and to have a healthy, properly run social and private rented sector for those who either cannot afford to buy or who choose not to."

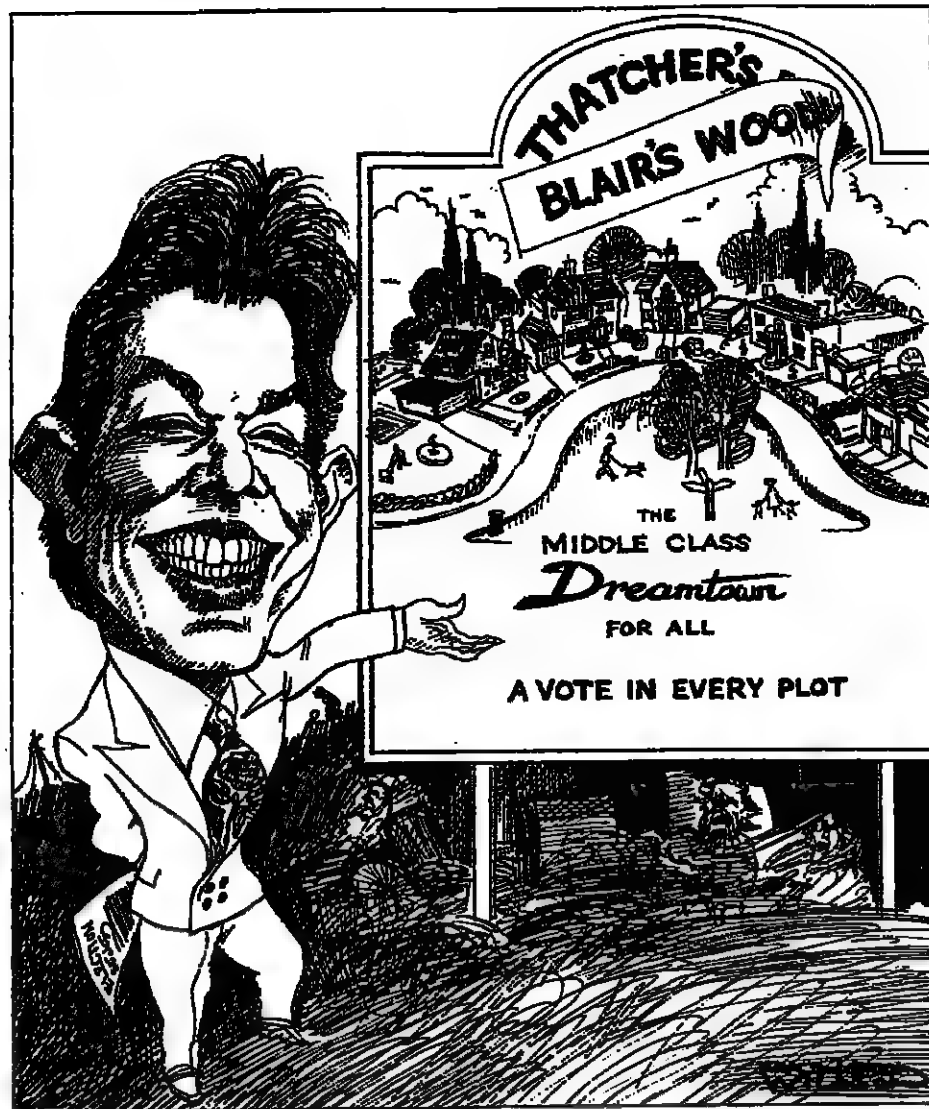
Mr Blair said that the Tories were now the "home-wreckers' party", who had pushed 1.7 million homeowners into negative equity, while cutting mortgage tax relief and benefits for unemployed homeowners. It was the party of "negative equity, repossessions, broken dreams and falling house values".

Later in the Commons, Michael Heseltine, the Deputy Prime Minister, said that negative equity had dropped by 26 per cent since 1992. He

mocked Labour's plans to help those in difficulty by allowing mortgages of more than 100 per cent of purchase price. He claimed that leading building societies were already running such schemes.

"The Abbey National, the Cheltenham and Gloucester, the Alliance and Leicester, the Halifax — they have all got the schemes in existence that the leader of the Labour Party says his Government would introduce if he ever got elected," Mr Heseltine said. "They are already there, doing it. The market has spoken. Tory government works."

Mortgage lenders and housebuilders gave only a cautious welcome to Mr Blair's proposals. Roger Humber, director of the House-builder Federation, said: "Mr Blair's speech seemed to address the symptoms and not the causes of the housing market's problems. What owner-occupiers need, irrespective of the party in power, is interest rate stability and the return of job security. We don't need rabbit-out-of-the-hat tricks from anyone."



## Fraud teams to focus on urban claimants

By JAMES LANDALE

HUNDREDS of fraud investigators are preparing to sweep the country in a crackdown on benefit cheats, the Government announced yesterday.

The investigators will concentrate on three or four urban areas each month in an effort to cut the £2.5 billion lost to social security fraud every year. Much of the fraud involves housing benefit, income support, and unemployment benefit. Free telephone hotlines will be set up for the public to inform officials about suspected fraud.

Peter Lilley, the Social Security Secretary, told the Commons: "The prime objective will be to encourage those who have drifted into abusing the system to put their claims right, then to crack down hard on those who fail to take the opportunity of coming clean."

Although Mr Lilley did not say which areas would be visited by the investigators, claimants will be given two weeks' warning. "Those who do come forward voluntarily would be very unlikely to be prosecuted," he said.

## Tories in turmoil over Goldsmith's referendum ploy

By NICHOLAS WOOD, CHIEF POLITICAL CORRESPONDENT

THE billionaire Anglo-French financier Sir James Goldsmith has plunged the Tory party into turmoil with his demand that MPs and candidates say where they stand on a referendum on Europe.

Sir James has formed the Referendum Party, backed with a campaign budget of at least £10 million, and is threatening to contest every mainland seat where no other main party candidate is committed to a referendum. He has more than 400 potential candidates waiting in the wings.

Tory MPs in the 90 most marginal seats, those with majorities up to 7,000, are deeply alarmed by his move. They fear that a referendum candidate, backed by national publicity, could cost them a 1,000 votes or more and make their seat more vulnerable to a Labour swing. Senior Tories have approached John Major and Malcolm Rifkind, the Foreign Secretary, urging them to clarify the Government's stance on a referendum, at present no more than a "possibility".

Robert Key, a Tory MP with an 8,973 majority in Salisbury, summed up the predicament of many backbenchers. "A number of MPs and their associations are anxiously awaiting guidance. If it is not forthcoming soon, I feel that I will have to go my own way. I have already publicly said I would be in favour of a referendum on a single currency, and I need to know whether the Government intends to go further than that."

An ad hoc group of senior ministers is trying to establish

a clearer line in time for the debate on the Europe White Paper later this month.

Labour MPs are far more relaxed, knowing that fewer of their potential supporters are likely to be swayed by the referendum promise. "Goldsmith doesn't strike the cold fear in our hearts that he does in the Tories," a Shadow Cabinet member said.

Sir James wrote to 1,062 MPs and candidates from all the main parties a few weeks ago, asking where they stood on a referendum. But Tory MPs are not looking forward to giving an answer. With the Government sitting on the fence, many want firm guidance before committing themselves in print.

Conservative Central Office has intervened, telling MPs to hold fire pending a Cabinet review of policy. But ministers have yet to agree a response as Kenneth Clarke, the Chancellor, holds out against a referendum.

Sir James's letter was accompanied by a two-page statement of his party's aims. He wants a referendum not just on a single currency or the outcome of this year's inter-governmental conference, but on the Maastricht treaty itself — a demand regarded as impractical even by some hard-line sceptics.

He is coy about the responses he has received to his letter. But close associates say there have been many and the "overwhelming majority" support his demand for a referendum on the whole Maastricht package.

At least one Tory need have no fears about a Goldsmith challenge. Sir Teddy Taylor, MP for Southend East, said: "Sir James, through his tenacity and hard work, is slowly driving the party towards the only possible solution to our European worries and divisions — namely, letting the people decide for themselves."

"It's simply no good to talk about a referendum on a single currency. We need a referendum on whether the people of Britain wish to remain in the European Union. My own feeling is that they are fed up to the teeth with the EU."



Goldsmith: feared in Tory marginals

## Openness 'must wait'

By NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

THE passing of a freedom of information Act, one of Labour's few commitments to legislation, may have to wait if the party wins the general election.

Peter Mandelson, Labour's Civil Service spokesman, said yesterday that the commitment could only be met "in time". He told a seminar organised by the Campaign

for Freedom of Information that as a first step the Government's code on openness should be "bolstered and more liberally interpreted". Without mentioning a freedom of information Act, he added: "In time that should be underpinned by legislation."

He sought to reassure concerned civil servants by saying that there would be a wide range of exemptions from legislation, including matters of security and commercial confidentiality and Civil Service advice to ministers.

Roger Freeman, the Public Service Minister, admitted that "the instinctive Whitehall reaction" was towards secrecy but said a freedom of information Act would only reinforce the tendency. Civil servants would "retire into their shells" and commit less information to paper.

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TECHNOLOGY DONE RIGHT



# Buchanan threat to divide party on abortion issue

FROM MARTIN FLETCHER IN WASHINGTON

PAT BUCHANAN has built a following so passionate that he could wreak havoc at this August's Republican convention in San Diego if his demands are ignored.

The populist insurgent has rallied religious conservatives with his uncompromising stand against abortion in any circumstances, and is threatening mayhem if the Republican presidential nominee chooses a pro-choice running mate like Colin Powell, or adopts anything short of a rigidly anti-abortion platform.

"There would be a walk-out at the convention. You would split the party. You would probably have embryonic right-to-life parties all over America," Mr Buchanan said.

The party's problem is that capitulating to Mr Buchanan's demands would alienate a centre that is the key to winning the White House and abhors Mr Buchanan's moral absolutism. A recent Gallup poll showed just 12 per cent of voters share his unconditional opposition to abortion.

In 1992 Mr Buchanan drove millions of moderates into the Democratic camp with a convention speech demanding a "cultural war for the soul of America" and many Republicans still blame him for President Bush's defeat. This year, by winning more than a quarter of the vote in every contest, he has not only earned another prime-time speech in San Diego but will command a much larger number of committed delegates.

It is a prospect that appals the pragmatic Robert Dole, who would love to have General Powell on his ticket, has tied himself in knots on the abortion issue, and fervently wishes it would go away.

During a debate in South Carolina last Thursday, Mr Dole first told a questioner he would oppose an abortion were she made pregnant by a rapist, then contradicted himself. On a chat show last Saturday he had to admit he would support his daughter if she chose to have an abortion. On Sunday he agreed abor-

tion was murder but claimed "political realities" demanded exceptions in cases of rape, incest or where a mother's life was endangered. Later, collared by reporters, he snapped that "some people think abortion is the only thing a President should be concerned about".

Mr Buchanan's refusal to compromise on abortion and other moral issues has split not only the party, but also the Christian Coalition in a year when it has really come of age. It has been turning out evangelical voters in record numbers in the Republican primaries. The candidates all now attend its rallies and vie to appear the most committed to its agenda. When Steve Forbes attacked the coalition in Iowa he came a disastrous fourth.

In almost every state the coalition's leaders have taken a pragmatic position and backed Mr Dole as the man most likely to win the nomination. Mr Buchanan has countered by touring the churches

of the American hinterland and whipping up grassroots purists.

Mr Buchanan has won a majority of the Religious Right vote in almost every contest. However, the "Buchanan bri-

gades" would do well to remember the last time cultural conservatives won a constitutional amendment lacking broad popular support. Prohibition was introduced in 1920, repealed 13 disastrous years

later, and the Religious Right has only just recovered its political influence.

States vote: Two hundred and fifty-nine delegates were being decided yesterday. Eight states were holding primaries.

most of them in the northeast: Massachusetts, Connecticut, Maine, Rhode Island, Vermont, Maryland, Georgia and Colorado. Two states were holding caucuses, Washington and Minnesota. (AP)



Pat Buchanan gets down to grassroots campaigning among young supporters at a rally in Roswell, Georgia

## Silicon Valley crime ring broken

FROM GILES WHITTELL IN LOS ANGELES

COMPUTER chips worth more on the black market than gold or cocaine were at the heart of a crime ring brought to its knees by undercover agents working in one of the world's most lucrative robbery districts, Silicon Valley.

After an 18-month operation codenamed West Chips, the FBI has arrested 50 suspects, most of them Vietnamese immigrants. As profits and asset values have soared among computer firms in the southern San Francisco Bay area known as Silicon Valley, organised gangs have used increasingly ruthless methods to steal chips worth millions on the international market.

One undercover agent who risked his life infiltrating a Vietnamese-American gang secretly recorded one of its members planning a robbery: "We'll take this guy over here," the gangster said, "and the first thing we'll do is cut his ear off in front of everybody. If that doesn't work, we'll cut off his other ear. And if that doesn't work, we'll shoot him."

Companies such as Hewlett-Packard and Silicon Graphics are among those targeted by the gangs, which have earned up to \$500 million (£330 million) in two years. But agents planning operation West Chips have been hampered by the reluctance of some firms to report robberies for fear of upsetting their insurers and shareholders, the San José police department said.

The authorities were also forced to proceed slowly because of the gangs' suspicion of outsiders and their skill at covering their tracks. Robberies were often carried out with the help of corrupt insiders, according to Mark Mershon, an FBI official. Stolen chips would be loaded into stolen vans, then transferred to hired luxury cars less likely to attract police attention.

One suspect, Thach Ngoc Tran, 28, paid \$2.4 million into his bank account last year. He is now in custody.

## Aged Southern senator not yet over the Hill

FROM TOM RHODES IN WASHINGTON



Thurmond: has vowed to run for an eighth term

BORN 37 years after the end of the Civil War and elected Governor of South Carolina when President Clinton was born, Strom Thurmond has straddled the 20th-century history of his state like an eccentric and cantankerous colossus.

This week, at 93, he becomes the oldest member yet to serve in Congress. And he has vowed to run for an eighth term during which he would not merely assume the mantle of the longest serving senator in American history but also that of centenarian.

In addition to his chairmanship of the armed services committee, he is president pro tempore of the Senate, placing him third in the presidential succession after Al Gore, the Vice-President, and Newt Gingrich, the House Speaker.

As Robert Dole, the 72-year-old senator

from Kansas, defended his own age to the South Carolina electorate last week, Mr Thurmond used the backdrop of the state Republican primary to hint that he was ready to stand again. He told a crowd of supporters that he was not yet in a position to announce his candidature.

"But you won't be disappointed," said Mr Thurmond. "There's a few liberals running around saying I shouldn't run again. What counts is not age but performance, getting the job done. What do you think?"

The rapturous applause that greeted his speech suggested that, for the gathered loyalists at least, Strom Thurmond has every chance of success. For years, they have heard stories about his health habits, his orange hair implants and, most famously, his penchant for taking young beauty queens as wives. The four Thurmond children were born when he was between the ages of 69 and 74.

It is all part of the idiosyncratic Thurmond legend, the man who has been both a Democrat and a Republican, a fierce segregationist who became the first Southern senator to employ black staff and now a conservative with a record of support for civil rights.

His most striking attributes were evident from the start. He has always been an indefatigable campaigner, never missing the opportunity to shake hands, learning and remembering every name and spending spare moments writing messages of condolence and congratulation to constituents.

There has been political courage, too. Having initially praised the records of Roosevelt and Truman, Mr Thurmond then ran against Truman in 1948 as the presidential candidate of the segregationist States' Rights Party, the Dixiecrats. It was an act of disloyalty which placed him forever in the Democratic doghouse.

## Americans uncover Russian diamond plot

BY GILES WHITTELL

AN INTERNATIONAL diamond scam in which a Russian conman appears to have robbed his Government of \$171 million (£110 million) has been shut down by authorities in San Francisco.

The story of Andrei Kozlenok and the diamond factory he set up in California is still mired in conspiracy theories and dark rumours of KGB involvement. What is certain is that Russia is suing in a San Francisco federal court for the return of a haul of gold and diamonds embezzled there by Mr Kozlenok.

In a racket worthy of a

James Bond villain, Mr Kozlenok, a dapper "entrepreneur" in his 30s, used \$1.3 million in Russian Government funds to set up a diamond-cutting plant in San Francisco in 1992.

His plan, reported to have been approved by Moscow, was to cut and polish rough Russian diamonds and use them as collateral for a \$500 million credit line from an American bank for the Russian Government. Instead Mr Kozlenok and two Armenian accomplices sold the diamonds and went on a \$30 million spending spree.



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Independent voice silenced before election

# Editor's sacking muzzles Zimbabwe newspaper

FROM JAN RAATH IN HARARE

DEMOCRACY and press freedom in Zimbabwe have suffered a serious setback with the sacking of the editor of the country's only independent newspaper by its nervous proprietor.

Trevor Ncube last week ended five years as editor of the *Financial Gazette*, during which time the Government was repeatedly humiliated by the exposure of top-level corruption and incompetence. Such stories were ignored by other Zimbabwean newspapers, nearly all of which are state-owned.

Mr Ncube's departure, and the subsequent muzzling of the *Gazette* by Elias Rusike, the chief executive of Modus Publications which owns the paper, mean that the campaign for presidential elections in two weeks' time is being reported here solely by newspapers which support the ruling Zanu (PF) party. Observers say that the rampant abuse of office by senior

politicians can be expected to increase without the risk of exposure by the *Gazette*.

Modus Publications is facing bankruptcy and Modus House, in a rundown part of Harare, is for sale.

Mr Ncube, 34, was suspended a month ago for publishing a Reuters report that said President Mugabe's aircraft had tried to queue-jump other planes carrying heads of state to Lesotho in January.

"Instead of defending his editor, Mr Rusike silenced him," said Iden Wetherell, formerly the newspaper's leading columnist. He resigned last week after his popular satirical column, *Muckraker*, was dropped.

After Mr Ncube left, Mr Rusike personally began scrutinising stories. He issued a memorandum that the paper was to establish "a Zimbabwean identity", which *Gazette* journalists believe means following the Zanu (PF) line. They have been told to

focus on business affairs, to treat security stories "cautiously" and to pay more attention to the speeches of ministers. For the first time in its history, the *Gazette* carried advertising which congratulated Mr Mugabe on his seventy-second birthday last month.

Mr Rusike bought Modus in 1989 with a loan secured by a recommendation from the party Politburo, on the understanding that it would toe the party line. "But he completely lost control of his editors," a former senior staff member said.

*Gazette* reporters say the final straw for Mr Rusike came last May when he and Mr Ncube were arrested and spent the weekend in jail after the paper reported that the recently-widowed Mr Mugabe had secretly remarried.

The report proved to be false, and the two men were fined heavily for criminal defamation while the state-controlled press referred to the *Gazette's* columnists as "modern-day Selous Scouts" (after the notorious former Rhodesian Army unit) and agents provocateurs.

The affair completely traumatised Mr Rusike, and he couldn't take any more," a senior staff member said.

Modus now owes nearly £2.56 million to the state-owned bank which backed Mr Rusike and is calling in substantial repayments. The Cabinet has discussed the debt several times, according to financial sources.

Mr Ncube said he had no evidence of the Government bringing direct influence to bear on Mr Rusike, but added it was "difficult to find another reason" for the censorship.

The *Gazette's* advertising and circulation are expected to plummet and the paper's future is regarded as uncertain, even if the Government decides to prop it up with easy repayment terms.



Mr Mandela prepares to talk to reporters yesterday as speculation grows about his health

## Mandela vows to complete his term

FROM INIGO GILMORE IN JOHANNESBURG

PRESIDENT MANDELA yesterday dismissed speculation that he may leave office before the completion of his five-year term in 1999.

He was responding to a report from Washington, published in South Africa's *Business Day* newspaper, which claimed there were growing indications that he might retire as early as this year.

"No, I am hearing that for the first time," Mr Mandela told reporters at a private clinic here where he is undergoing three days of medical tests. "There is no question of me continuing beyond 1999, but I have not been told that I should step down, so I will hold on until 1999."

Mr Mandela decided to undergo tests after speculation about his health sent shudders through the money markets. The check-up has forced him to postpone a visit to Angola, where he was to meet President dos Santos and Jonas Savimbi, the UNITA leader.

## Patten pleads for council

FROM JONATHAN MIRSKY IN HONG KONG

CHRIS PATTEN, the Hong Kong Governor, yesterday followed up John Major's speech warning Peking not to breach its legal obligations by urging China to reverse its decision to abolish the colony's Legislative Council and truncate its Bill of Rights when it resumes sovereignty in 1997.

Responding to suggestions in the Communist-controlled local press that Mr Major's statement would damage British-Chinese relations, the Governor urged Peking "to stand by the promises made to Hong Kong on human rights ... and on the development of representative institutions".

In reply to Chinese statements that Hong Kong's first fully elected legislature would be terminated two years short of its term, Mr Patten acknowledged that a reversal by Peking "would take some effort of will", but said it would create "overwhelming relief" in Hong Kong.

The Governor described Mr Major's speech guaranteeing visa-free access to Britain after 1997 for Hong Kong passport holders, offering passports to war wives and widows, and guaranteeing the safety of non-ethnic Chinese, as one of the most forceful "ever made by any British politician".

## Arms tests unnerve Taiwan

FROM JAMES PRINGLE IN PEKING

CHINA'S new round of missile tests starting on Friday in the Taiwan Straits in advance of Taiwan's presidential elections on March 23 are part of a war of nerves intended to show how easily the mainland could blockade the island's main ports, diplomats said here yesterday.

China's announcement of the one-week exercises came only hours before the annual parliamentary session was convened yesterday, and provoked regional concern that, through accident or over-reaction, the war games could go seriously wrong.

Stock market prices fell 62 points in Taipei and many ordinary Taiwanese reacted with concern. A number of fearful civilians living on the tiny Taiwan-controlled island of Wu Chiu, just a mile off the China coast, fled to Taiwan.

In Peking, the Foreign Ministry said the tests were "just normal exercises for safeguarding the country's sovereignty and integrity".

But Taiwan says China has massed up to 150,000 troops in preparation for the exercises and claims they are an attempt to destabilise the country before the poll in which President Lee is the front-runner.

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# New biography brands Tintin's creator as passive collaborator



Hergé backed Nazis out of political innocence

FROM BEN MACINTYRE  
IN PARIS

HERGÉ, the Belgian cartoonist and creator of Tintin, was a "passive collaborator" who morally and financially supported friends sympathetic to the Nazis, according to a new biography.

In Hergé, Pierre Assouline, a French historian and the first biographer to gain full access to the archives of the Hergé Foundation in Brussels, explores the links between the celebrated illustrator and the extreme right during the 1930s and the Occupation. He concludes that Hergé backed the Nazis, but out of political innocence rather than political conviction.

Like P. G. Wodehouse, Hergé's activities before and during the Second World War have long been the subject of controversy, but M. Assouline's 463-page book, published



An early colonialist cartoon that later caused Hergé great shame

this week in France, is the most balanced and fully documented account yet. Before the war, Hergé, whose real name was Georges Rémi, worked for *Vingtième Siècle*, the Roman Catholic Belgian newspaper, as an illustrator. There he came under the influence of the editor,

Abbé Norbert Wallez, an anti-communist, anti-Semite and ultra-nationalist.

The first two Tintin stories about the courageous boy reporter with the quiff and plus-fours, published in 1929 and 1930, *The Adventures of Tintin, Reporter in the Land of the*

*Soviets and The Adventures of Tintin in the Congo*, reflected the abbot's anti-communist leanings and support for Belgian colonialism. Later, Hergé was deeply ashamed of the racist images in *Tintin in the Congo* and sought to right the balance in *The Red Sea Sharks*, which shows Tintin battling against the slave trade.

The most serious charge against Hergé is that during the German occupation of Belgium he continued to draw the Tintin strip for the Nazi-controlled newspaper, *Soir*. After the war, Hergé even depicted Tintin in German uniform, while an anti-Nazi newspaper, *La Patrie*, published its own cartoon mocking Hergé's cub reporter.

Hergé may be considered a passive collaborator, M. Assouline concludes, saying that the illustrator was a political innocent rather than an active supporter of fascism. "By

lending his signature, he backed the regime. But he was never a militant ... he never wrote about politics, nor denounced anyone."

Hergé, however, did give money and moral support to his friends who were considered Belgian collaborators. M. Assouline discloses, actions that suggest naivety at best and, at worst, a continuing allegiance to the views of the Abbé Wallez. When Belgium was liberated, the cartoonist was accused of collaboration but later was awarded the required "certificate of good citizenship". His past haunted him, however, and M. Assouline found he became depressed after the war and briefly considered emigrating to Argentina.

Hergé died in 1983 at 76, but the cult following of Tintin continues to grow with every generation. The Tintin books have sold 140 million copies in 40 languages.

## WORLD SUMMARY

### American call to cut UN dues

New York: America is to ask for a large cut in its United Nations dues as part of a five-year package designed to persuade Congress to pay almost \$1 billion (£654 million) in UN debts (James Bone writes).

Madeline Albright, the US Ambassador to the UN, said Washington wants to cut its share of the UN budget from 25 to 20 per cent, and its contribution to peacekeeping from 30 to 25 per cent. There is likely to be strong opposition in the UN General Assembly, particularly from European nations, which would have to make up much of the shortfall.

### ANC minister to be investigated

Johannesburg: South Africa's Public Protector announced that Nkosazana Zuma, the Health Minister, and a senior African National Congress figure, is to be investigated for corruption. The decision follows unsuccessful appeals for the minister to account for 14.2 million rands (£2.8 million) spent on an AIDS musical. She has been accused of lying after the European Union denied it had funded the show.

### Sudanese get a chance to vote

Sudan goes to the polls today after seven years of dictatorship (Sam Kiley writes). All political parties have been banned from the parliamentary and presidential elections, being held to legitimise the Islamic fundamentalist rulers. Hassan al-Turabi, the mastermind of Sudan's evangelical Islam, is likely to become parliamentary Speaker.

### Rampage victim dies of wounds

Cuers, France: Pierre Mariagliano, 68, has become the sixteenth person to die of gunshot wounds received last year when Eric Borel, 16, went on the rampage, committing one of the bloodiest crimes in modern French history. The French youth then committed suicide. (Reuters)

## Rifkind dismisses EU formula for foreign policy 'fix'

BY MICHAEL BINYON, DIPLOMATIC EDITOR

MALCOLM RIFKIND, the Foreign Secretary, yesterday dismissed as unworkable plans to force British taxpayers to subsidise French or German actions overseas that Britain strongly opposed.

He said the proposal for "constructive abstention" from a common foreign policy decided by majority vote would lead to political absurdity. Under the plans, the country concerned should pay for and support decisions in which it was not involved. But this would not resolve real disagreements, Mr Rifkind said.

"It makes no sense to expect a country which actually disagrees with a policy to support it — whether politically or financially — through something called 'constructive abstention'," he told an audience in Paris. "Would France have been willing to abstain 'constructively' over nuclear testing?"

Under the way common foreign and security policy now worked, European Union countries agreed where they could, he said. They did not make life difficult for their partners out of whimsy or

malice. It was the dispute was of little importance, there were already ways to resolve it; but where there was a real difference over issues that mattered, "clever institutional fixes are not the solution".

Mr Rifkind's speech to the Institut Français des Relations Internationales, the leading foreign policy think-tank in Paris, laid out his strong opposition to the pressure from Paris and Bonn for majority voting in common foreign policy. This will be one of the most contentious issues at the EU inter-governmental conference which opens in Turin next month.

Common foreign and security policy had worked reasonably well in the four years since it was set up by Maastricht, Mr Rifkind said, adding that "those who sleep with the Treaty of Rome under their pillows" might denounce the arrangements, "but substance matters more to me than form".

The way such policy worked, however, could be improved, Mr Rifkind called for:

up a small team of people working with the Council secretariat to give ministers the kind of service which Britain and France took for granted in their ministries.

□ A clearer voice. Mr Rifkind supported a French proposal for a single figure to represent EU policy to the outside world. — "somebody appointed and tasked by the Council; its servant, not its chairman".

□ More flexibility. Member countries should exploit their historic and geographic links with former colonies.

□ Better co-ordination between the political and economic sides of the EU.

□ Better financing arrangements. Money must be available to deal with fast-moving and unpredictable situations.

□ Faster reflexes. He said crises did not happen to suit EU officials' programmes.

Mr Rifkind said it did not matter to most people whether the British or French troops in Bosnia were flying the European flag. "What will matter to them is that European countries are playing a credible role."

Leading article, page 19



Touching tribute: President Yeltsin jokes as he pins a medal on Ludmila Zhokhova, a weaver, at a Moscow ceremony yesterday. Mr Yeltsin caused uproar when he fondled a female interpreter at a public function last year

## German Army fights bullies within

FROM ROGER BOYES  
IN BONN

THE German Army is being plagued by bullying and drug abuse in the barracks room, the military ombudsman reported yesterday. Claire

Marienfeld cited the case of a staff sergeant who ordered a conscript to run for several hundred metres with a heavy machinegun. When the soldier collapsed, he was dragged through mud back to the barracks. "In Adolf's time,

you would have been gassed," bellowed the sergeant.

Other cases include a sergeant-major who used the handle of a hammer to beat the genitals of soldiers; a lance-corporal dragged out of his bed at night and kicked in

the face until his jaw broke; and two corporals who poured lighter fluid on a colleague and set him alight. Drug abuse has increased from 1,058 registered cases in 1994 to 1,379 last year. Five soldiers died of overdoses.

## Nuns join forces with Italian feminists

FROM RICHARD OWEN  
IN ROME

A GROUP of Italian nuns gave new meaning yesterday to sisterhood by announcing that they are joining the feminist movement.

The nuns are to mark Women's Day on Friday by joining leading Italian feminists in an exploratory meeting at a

religious bookshop in the shadow of the Vatican. "To be a woman means to be able to express my female nature without fear," Sister Emmanuelle Marie said.

"Witches and saints unite in struggle" was the unkind headline in *La Repubblica*. It added that "the sisters are no longer frightened virgins who do not know what goes on in the world and always defer to priests".

The militant nuns are led by Mother Lilla Capretti, head of the Italian Union of Mother Superiors, and a group of Salesian nuns headed by Sister Teresa Doni, a sociologist. They argue that nuns have much to contribute to the women's movement. "We are the foot soldiers of the Church, with direct experience of violence, poverty, drug addicts and AIDS," said Mother Capretti.

## Spain in limbo as tough talks fail to produce coalition

FROM EDWARD OWEN  
IN MADRID

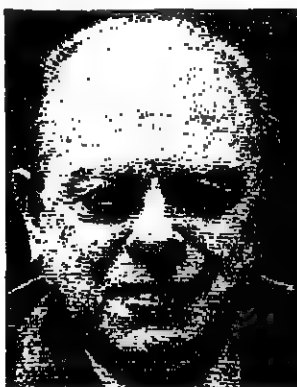
TWO days after Sunday's general election in which the conservative Popular Party (PP) was elected for the first time but without a working majority, Spaniards were still waiting yesterday to see if José María Aznar, the party leader, would be able to form a government.

The unexpected result — all opinion polls had predicted a comfortable victory for the PP over the Socialists, in power for more than 13 years — has sent ripples through the Madrid stock market and threatens to torpedo Spain's ambitions to be among the first European Union members to adopt the euro, the single currency.

The PP returned 156 deputies to the 350-seat congress and only the additional support of the Catalan and Basque nationalists, with 16 and five seats respectively, will give Señor Aznar a majority.

However, the Catalans say they will abstain during the key vote for Señor Aznar's investiture. If the Socialists, with 141 seats, and the communist coalition, the United Left, with 21, vote against him, Spain faces another election — something all parties want to avoid.

"There is nothing odd or new about Señor González wanting to stay on with his Government. That's what he tried in these elections and without doubt, from his political position, he will try to do so," said Rodrigo Rato, expected to be PP's Finance Minister. Señor Rato is heading the negotiations with the Catalan nationalists, who are demand-



Pujol demands high price for co-operation

ing a high price for their support. Señor Aznar has said he is seeking a coalition and will offer ministerial posts.

"I know the difficulty, I have lived with it, but it is not an insurmountable difficulty," Señor González said, referring to his adversary's predicament.

Jordi Pujol, the Catalan nationalist president, has been angered by Señor Aznar's insults in the past, according to Ignacio Guardans, a newly elected Catalan deputy. If the two are to reach a deal, he says, the Catalans will want blood. This could mean formal recognition by the PP of Catalonia as a nation (without independence), a greater autonomy and a clarification of PP's budgetary plans.

Javier Arzallus, president of the Basque Nationalist Party, said he was willing to discuss pacts.

Business organisations have urged Señor Aznar to form a government as soon as possible to arrest a stock market fall.

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**Spain in limbo as tough talks fail to produce coalition**

FROM EDWARD OWEN  
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## Lessons in choosing schools

It is a dilemma being played out across the country, when one parent believes in state education and one in fee-paying schools

It is, by any account, embarrassing — excruciatingly embarrassing. But it is so fascinating, too: Michael Barbour, senior education adviser to the Labour Party, Dean of New Initiatives (now there's a title) at London University's Institute of Education and champion of comprehensive education, has admitted that he will be sending his youngest daughter to a fee-paying school. The compelling part is not the decision, although it has added greatly to the gaiety of political pundits, but the reason he gives for it: his misgivings.

"Essentially," he explains, "the issue is that my wife, Karen, and I don't necessarily agree about education and politics." He freely admits he would have preferred his daughter to have gone to a comprehensive, as did his other daughters, but his wife strongly demurred, and "I respect her views".

Professor Barbour has been so honest about all of this that it's difficult to see how the inevitable charges of hypocrisy can stick: he has offered to resign as governor of Hagerston Girls School (which his daughter might have attended); he has made no effort to abrogate responsibility for the decision, claiming it to have been made "as a family"; and he makes no attempt to absolve himself, admitting that "every parent that [sic] opts out makes the improvement of state schools more difficult, because it spreads doubt about their quality".

Professor Barbour's account

of his wife's firmness on the subject is convincing: she had not been impressed by the education his two older daughters had received at comprehensive schools and was determined that Alys, their youngest, should be given a better opportunity.

Essentially, this is the dilemma every parent who believes in the idea of state education, while quaking at what is actually on offer, faces. And, indeed, it is not just in essence that this particular drama is played out in homes across the country, but in almost exactly the same detail. In other words, one parent furiously argues for the principles of state education while the other says: "Darling, I couldn't agree more, but look at the reality: you can take care of your principles if you like, but I'm more worried about our angel's education."

In couples like these, how can the idealist win over the pragmatist? Children have a way of making only the concrete seem important: you don't after all — even if you are a senior educa-

tion adviser — want your daughter to get educated in theory, you want her to learn things in practice. And even if any doubts as to the efficacy of the state education on offer are out of proportion to what exists, how do you argue against a partner who is intransigent on the subject, without seeming like the most uncaring parent and high-handed spouse?

Perhaps it's just the company I keep, but I hear variations on this theme rehearsed over dinner parties regularly. Only the other day, I was sitting next to another Labour Party supremo, only one much more connected (Professor Barbour has, after all, also advised the Tory party on education) and much more highly connected at that, who was voicing exactly these concerns. He felt, he told me, that it was absolutely the duty of



Nigella Lawson

"people like us" to send our children to state schools and, while his wife agreed in principle and embraced his views, she wasn't prepared to see her children get a worse education

than they need to on account of them. And where do I stand? I think they're both right — and I don't know where that'll lead me in a few years hence.

These days we like to believe in a relationship not as a union of opposites, but an undifferentiated linking of kindred spirits. We live in an age of single issue politics where everything must be subjugated to one intolerant, intransigent belief. People now express horror that one could actually share a joke or a dinner table with someone whose political views one not merely disagrees with but loathes, so it is beyond them that anyone could actually choose to live in fundamental political discord with someone else. But, of course, it happens: people can live happily with those whose views differ radically from their own.

The source of potential, but somehow avoided, conflict may be religion. Somehow the education issue is lifting the lid of the latter one now, too. I notice that friends

ferently take up churchgoing so that they can send their children to church schools, while their spouses, for all that they profess to despise that or any organised religion, are perfectly happy to accede to their partner's wishes. You could call it pragmatism again: after all, it is a cheap way of getting a good education; but it is still odd to allow your child to be inculcated into something you deem pernicious and profess to hate. But it happens.

And I don't think it's altogether an accident, either. We know anyway that, in couples, people do seem unconsciously to seek out those who express certain characteristics or views that we might not allow or choose to recognise in ourselves. Thus quiet, timid people pair themselves off with show-offs, flibbertigibbets with seemingly incompatible dry old sticks and so on. But it happens, surely, with political expression, too.

I know many self-congratulatory left-wing people who are saved by their spouse's often criticised reactionariness. How much easier it is, you see, to bang on about one's beliefs, one's integrity, one's ideals while knowing that, without impugning either oneself or the whole damn lot of them, one will not have to act on them. It's not hypocrisy: call it, rather, human nature. And it is, after all, the point of marriage: to provide balance and to protect each of us from our own excesses.

## Real Parma ham from Brussels?

TODAY, an EU commission is called on to consider whether countries should be allowed to use names of specific foodstuffs generically. That is to say, should they allow manufacturers of cured ham from Manchester to call their product Parma ham, or must only ham from Parma pigs, cured in the time-honoured fashion, be allowed the name? Any sensible person should pray that the commissioners have the sense to stop Danish cheesemakers producing what they want to describe as feta, mozzarella or, mad though it sounds, West Country cheddar.

Should they do so, I'm afraid the reception won't be exactly warm in this country. We seem to consider any regard for a foodstuff's integrity as barmy Euro-rubbish and instantly decry it. But it does make a difference. Without any form of *appellation contrôlée*, the quality of what we are served in the name quickly deteriorates. In Italy, Parma ham means Parma ham, just as in France Puy lentils are indeed from Puy: the terms mean something. I happen to think that prosciutto di San Daniele is better than prosciutto di Parma: it's not that the name itself signifies the best, but that it signifies what it is. Over here, Parma ham is often used (not legally as yet) to describe all manner of hams that have never been anywhere near Italy let alone Parma, and it shows.

I ONCE tried to buy a good cheese sandwich in Somerset but it was impossible. Just because an old plastic cheese can call itself cheddar doesn't mean it is cheddar. Furthermore, Danish mozzarella isn't mozzarella: it tastes different. It is different. Why should it be allowed to go by the same name? But maybe we get the cheeses we deserve. What a truly dreadful thought.

# Time to give peace a chance

Martin Bell, the BBC's long-serving war reporter, has decided to hang up his flak jacket and plant geraniums in his upturned steel helmet

IT SOUNDS the easiest of decisions for a veteran war reporter to make, to forswear the front lines for ever, to hand in the flak jacket, retire the white suit, to upend the steel helmet and hang geraniums from it under the porch. So in a sense it is an easy decision, for the risks and dangers that go with the job have never held much appeal for me. I am not what is known in the trade as a "headbanger", one of those fearless characters who draw an extra charge of excitement for venturing into the cannon's mouth and staying there.

It is true that, against the usual style of TV reporters, I do not habitually duck and weave while addressing the camera under fire; but that is to save energy, and because one can as easily duck into a bullet as away from one.

For weeks and months on end, especially in Bosnia, fear and trepidation have been my constant companions. I will gladly part with them for good, though I will admit to the satisfaction of survival at the end of a dangerous day — what Winston Churchill, an early practitioner, described as "the exhilaration of being shot at without result".

There remain some advantages to it, which fall far short of justifying an addiction, but which have kept me in the war zones when perhaps I should have quit. There is the privilege of witnessing history in the making, and the knowledge that television is, for the first time, contributing to its first draft. There is the inspiration of heroes — the heroism of ordinary people in extraordinary circumstances. There is the camaraderie of one's colleagues, an odd bunch and the strangest of people at the best of times, but the firmest of friends under fire.

There is, most of all, a different perception of what matters and what does not in our daily lives — a special sense of what not to take for



Thirty years' war: three decades after first encountering ethnic cleansing and war, in Nigeria and Vietnam, Martin Bell is still reporting on their consequences in Bosnia

granted. All of these will be hard to give up.

But the passage of time brings imperatives of its own. Even in the Gulf War I could not help noticing that, together with Philip Jacobson, who dispatches graced the pages of this newspaper and with whom I served alongside the 7th Armoured Brigade, I was the oldest man on the field of battle by six years; and that was five years ago. Today the joints creak under the weight of the body armour, so heavy that even soldiers are astonished by its turn of speed across open ground is not as fast as it used to be; and the 15-mile hike with backpack through enemy lines (even if it is wise, which I have always doubted) would these days test

my endurance to the limit. It has been a longish career, nearly 30 years long. My first experience of what is now called ethnic cleansing was a tribal conflict in Northern Nigeria, the massacre and

**'I don't duck and weave to camera under fire because one can as easily duck into a bullet as away from one'**

flight of 100s, in the summer of 1966. My first experience of war was in Vietnam a few months later. I have found myself still reporting the consequences of both in Bosnia in 1996. And it was just before



Shot in Bosnia, Bell realised it was time for a change

Christmas, while coming under fire at an illegal Croat roadblock outside Mrkonj Grad, that I concluded that the time had come for a change.

I have hung out with soldiers for a long time, and hope

to have learnt from them that the most difficult of military manoeuvres — an orderly retreat. This will not be a panic-driven rout, but rather a phased withdrawal. The first phase, under the personal disengage-

**'Even in the Gulf War I couldn't help noticing that I was the oldest man on the field of battle by six years'**

ment plan, will be one last valedictory assignment to Bosnia next month. It will encompass the Implementation Force (Ifor) deadline known as "D plus 90", the final transfer of land and authority between the constituent parts of Bosnia under the Dayton agreement. It will (I hope) draw the line under peace of a kind, not peace with honour, but preferable to the only alternative, which is war without end.

I know very few of my war-zone colleagues who ever consciously set out to be war reporters. It is something that happens, rather like the weather, and we find ourselves caught up in it. We don't choose this career: it chooses us. But when it is over, what do we do next? For what else

are we even remotely qualified? This is my present predicament; and it is possible that journalists, like actors, can become so typecast as to be unemployable elsewhere.

I have had one notion, which I have duly floated in the appropriate circles, that since there is a general election campaign in the offing, and the language of elections is regularly conducted in the metaphors of warfare, why not go all the way and hire a real war reporter to do the business?

The idea has a certain logic and appeal to it. The campaign itself, the tactics and strategies that go with it, the generalship of the party leaders, the set-piece offensives, the big guns wheeled out to fire their broadsides and salvoes — what else is this but the language of the battlefield, often imperfectly understood, through which politics is communicated to the voters and becomes the extension of warfare by other means?

Clausewitz himself would have been intrigued. And as for me, I should welcome the clash of soundbites and the skirmishing of spin-doctors — all the excitement of combat without the danger.

But alas, it may not happen. The BBC has an excellent specialist political staff, hardly in need of reinforcement, and we war reporters are not always the most welcome of visitors wherever we go. Rather, we tend to be seen as birds of ill-omen. "I knew things were bad," is the commonest reaction when we are seen approaching, "but I didn't know they were *that* bad."

Besides, I have been this way before, when the political staffs were much smaller. In the general elections of the early 1970s, the pendulum years; and even then I earned a reputation as a sort of travelling jinx. A *Daily Mirror* columnist noted in April 1974: "Knowing eyebrows are being raised at the choice of Martin Bell to report Opposition Leader Edward Heath's election campaign tour. Every time Bell has traipsed along for the BBC his man has lost. In 1970, Bell followed Harold Wilson. And Ted won. Earlier this year, Bell joined Ted. And Harold won." (Of course, it turned out that Harold won again.)

The future is clouded and uncertain, much like the past. The months ahead will show clearly enough whether there is life after the war zones. If not, the alternative to the war zones will be... more war zones. One way or another, a man has to make his living.

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## Alan Coren



## Camcorders as jailbird bait, eh? It's the end of the free gift as we know it

Come with me to the margin. That is where real life happens. It always does. Remember the Bayeux Tapes? How, in the broad flashy centre, the putatively major events of history roll awesomely on — kings, bishops, generals intricately enmeshed in the power play of treaty and treachery, conquest and massacre, all the big stuff — while, down in the seemingly inconsequential border, all the little stuff reels out: priapic friars stalk milkmaids, fat burghers smack serts, ragamuffins nick hens, matrons and goatboys fall into hayricks, tusslers fall into cowpats...

Down there, without doubt, is where the real 11th century goes about its business. And now we have newspapers. Page after headline page of notional pith and moment from every fraught cranny of the globe, yet so little of it touching our core, until, suddenly, there is a single paragraph of News in Brief on, let us say, page nine of *The Times* yesterday.

Twenty-nine people wanted for failing to attend court, or who had been sentenced in their absence, were arrested after police lured them to a hotel in Liverpool by offering free camcorders. They had all received letters asking for volunteers in a market survey.

Real life, or what? Apart, of course, from the sheer relish of the scenario: the briefing session, the young DS shouting "Look, Guv, I could be well out of order here, but what if we...". his DCI muttering that it might just work. God knows we've tried everything else, the cut to the Horatio Bottomley Suite of the Scouse Hilton, a dozen CID officers in shiny suits and cheesy smiles welcoming the slandering audience of 29 camcorder-ravenous wallies to the marketing opportunity of a lifetime, the joyous denouement as, on a synchronised nod, the doors are locked, the badges flashed, the rights read out...

But it is much more than this. It is more even than a wondrous shaft of clear cold light into the murky corners of our huckstering, double-dealing, free-offering, card-scratching, prize-grubbing, something-for-nothing world in which even crime-hardened villains may be conned out of their professional wariness by an appeal to that freebie greed which now holds each and every citizen of New Camelot in thrall.

What makes the fell swoop of the Mersey Bill even more than this is the strong possibility that their action may very well kill all the geese that lay tin eggs. For how can any of us be certain ever again that the appealing one we have just been junk-mailed does not conceal a greater con calculated to get us where we have hitherto managed not to be got? Is any of us so confident of spotlessness as to take that risk?

A cold call, say, informs me that my house has been selected from thousands for the trial of an astonishing new Tonikinese fitted kitchen worth twenty grand, which will be installed for nothing in return for my allowing it to be used in future publicity, and their team will be in my area tomorrow. Shall I invite them in, only to have them whip off their dungarees and begin asking me about apparent discrepancies in my Schedule D tax return? A letter arrives, fifth of a sequence, pleading that if I do not turn up tomorrow at the spot arrowed on the enclosed map, then my absolutely free Ford Granada / diamond Rolex / fortnight with Sharon Stone will be forfeit. If I rush round, will I discover not only that I cannot get any of these unless I agree to buy Benetton, but also that two large men from the Serious Stationery Squad are waiting to arrest me for the theft of corporate ballpoints, typing paper, rubber bands and de luxe box files, going back to 1967?

Never mind the normal errors that too often accompany the kind of constabulary enthusiasm shown in Liverpool: it is not impossible that, should I accept the offer of a buckshee personal organiser for joining The Crickleswood Book Club, I might open the door to take delivery only to find my collar being felt by a man in a flak jacket informing me that they have got me bang to rights for the Abbey National ram-raid, do not argue, sunshine, it is all on the computer, prints, DNA, everything.

Real life has just changed. From today, there is no such thing as a free carriage clock.



## Bombers in command

Political bombs are smart weapons, whether in Israel or Ulster — but they only succeed if the politicians let them

Nineteen ninety-six should be declared the Year of the Bomb. In Bosnia the Americans claimed to have bombed the Serbs to the negotiating table. In Jerusalem and Tel Aviv, Hamas bombing the Israeli Government away from it. In Northern Ireland the IRA has bombed Sinn Féin into talks, then away from them, now possibly back to them again.

Bombs have become standard issue in the diplomacy of ethnic conflict. They are to constitution-building what the tough cop is to crime-busting. A bomb brings to a poised negotiation a sudden cuff round the ear and a spatter of blood. Its death and destruction are not ends in themselves. They are a means to an end. They generate such terror and outrage as to alter a negotiating balance. Political bombs are thus "smart" weapons. Clausewitz would treat them as surgical injections into the politics of peace. Those who dismiss bombs as psychopathic anarchists are fools. Bombs work because their victims let them work, by tearing up treaties and seeking revenge. Such responses do not deter the bomber; they validate his tactics. They are what he wants. They may be human but they are stupid.

Yesterday, in a letter to *The Times* written before the latest Tel Aviv bomb, Lord Jakobovits pleaded with the Israelis to show courage. They should, he wrote, "pursue the peace efforts as if there were no terrorism, and fight the terrorists as if there were no peace efforts". He cited Chaim Weizmann's plea to wartime Jews to help Britain against Hitler as if Britain had not opposed a Jewish state, yet to resist that opposition as if there were no war against Hitler.

The former Chief Rabbi's choice of antithesis is persuasive but dangerous. The terrorist is seeking to undermine the pursuit of peace by evoking just the response that Lord Jakobovits advocates: that he be fought "as if there were no peace effort". He wants the full vengeance of the Israeli state to be brought down on the head of his community, to feed its paranoia, destroy the peace party and recharge the batteries of fanaticism. The only thing he dreads is to be regarded as a common criminal, divorced from his community. His actions must not seem like a random accident, like a coach crash or a madman loose with a gun. He wants to be a "terrorist", fought as if there were

no peace. He insists that his monstrous act be anointed with the oil of politics.

Master craftsmen of the political bomb is the Sinn Féin leader, Gerry Adams. Last week he continued to reap the harvest of the IRA's 25 years of explosive havoc. British ministers have long rejected Lord Jakobovits's plea "that peace efforts should be pursued as if there were no terror". They have asserted the opposite. They have said that there could be no move towards peace "until the violence stops". I have heard those words from every single Northern Ireland Secretary for the past decade, including Sir Patrick Mayhew.

For a quarter of a century, IRA bombs have demoralised Unionists, transfixed British Governments and bled British taxpayers. Two years ago, in a burst of exasperation, John Major abandoned the "no talks unless the violence ceases" policy. He did what he had said would make his stomach churn. He admitted the IRA bombers to what he called the peace process. In doing so he pulled off a coup, an IRA ceasefire which lasted longer than the two previous ones. But he failed to sideline the IRA. He kept it centre-stage by insisting on the "decommissioning" of weapons. Having dropped that condition, he insisted on early elections, which the IRA was able to enlist Dublin in opposing.

Sinn Féin will win seats in those elections and Mr Major must presumably find a form of words that admits to the talks called for June 10. Since any words on a ceasefire from Mr Adams will be worthless, the concession to the power of the bomb will be total. Yet these laborious manoeuvres have led the British Government almost exactly to where it was in 1982. That was the date of Lord Prior's short-lived assembly and

rolling devolution. (Negotiating Northern Ireland is like fighting the Kaiser in Flanders. One more push and you are back where you started.)

Even for connoisseurs of Ulster folklore this past week has been grimly familiar. On Monday, everyone but Sinn Féin was invited to "proximity talks" in yet another costly Stormont conference centre, tailored to the towering egos of those involved. As always in that wretched place, every participant reverted to type. The Official Unionists boycotted, saying that because Irish ministers were present they would only talk to British ministers in London. Ian Paisley would not come because of the lavish suite for some reason granted to Dublin's Foreign Minister, Dick Spring. The SDLP jeered that "the Unionists could run but they could not hide". Mr Adams tried to attend but was turned away at the gate for not having a written ticket.

Ministers paced up and down drinking coffee. Sir Patrick Mayhew broke off to sing the Secretary of State's "goodwill-on-all-sides" aria. This show is now in its 23rd incredible year. Each time, failure is celebrated by an IRA bomb and a Unionist backlash.

In Israel a peace settlement reached after two decades of conflict is now jeopardised by just three bombs. These have apparently the power to unhinge a process on which the happiness and prosperity of hundreds of thousands depend. In Northern Ireland, IRA bombers are no more representative of their communities than Hamas. Yet for the past decade, their possession of Semtex has granted them a veto on the progress of reform in the Province. British Governments have refused to budge without an IRA ceasefire. Even the terms of the recent ceasefire, that all-party talks would not take place if it ended, implied that veto.

Simon Jenkins

## Lofty plans

ONE OF Scotland's richest landowners is clearing out his attic. Johnny Dumfries, the 7th Marquess of Bute, has instructed Christie's to dispose of chattels worth £200,000 from his enormous home, Mount Stuart on the Isle of Bute, at an all-day sale later this month.

Islanders are taking a rum view of the disposal, which includes a well-used commode valued at up to £6,000 and a 15th bronze urn which could go under the gavel for £15,000. "It sounds like selling the family silver to me," said one tenant.

Dumfries, a former racing driver, inherited more than £100 million and a 25,000-acre estate two-and-a-half years ago after the death of his father, and he appears determined to boost his income from the estate.

He has enraged tenants with demands for rent increases of up to 500 per cent; he has placed his father's beloved pleasure cruiser, *King Duck*, on the market for £150,000 after informing one of the crew that he was no longer required; and his stepmother, Lady Jennifer, is moving out after an alleged row with Dumfries.

Old man Bute was considered a

benevolent landlord who did not appear to have to resort to tough managerial measures to raise money. One islander fondly recalls how the late marquess discovered a Dutch Old Master which had been lying in a cupboard for years. "He found it was worth £2.4 million."

Christie's duly points out that the sale is no more than an attic



Dumfries: clearout

clearance: "Mount Stuart has a very big attic."

● The truth at last about the Labour luvvy John Morimer's fantastic tales is revealed by his daughter Emily. In next month's *Harpers & Queen*, she says her father tells porkies: "He'll always tell a lie if it makes things more interesting. He fibs and never feels bad about it."

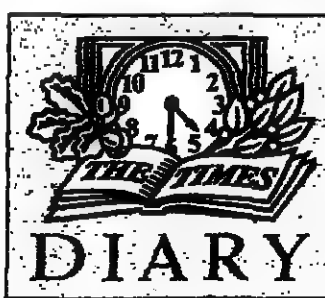
## Day job

DAVID MELLOR appears to be planning for the worst and seeking alternative employment. Pre-empting a possible Labour victory in his Putney constituency at the general election, he has put himself forward to the BBC as a day-time television presenter. I understand.

Along with an eclectic group of sports personalities, including the footballer-turned-radio-presenter Garth Crooks, he is proposing a day-time sports programme. This would be his first regular TV job, but the Beeb has yet to bite on it — Mellor's cheesy grin is not to everybody's taste.

## Seoul mate

JOHN MAJOR has discovered a source of succour and support. It is



not his wife Norma, nor even his fleshy biographer, Bruce Anderson. He is enjoying a love affair with Korea.

Yesterday he indulged in official talks with President Kim Young Sam for the third time in a year, arriving in Seoul to a hero's welcome from the *Korea Herald* which highlighted "the fortitude and dynamism of the Conservative host of 10 Downing Street."

"He led the country in the face of diverse challenges from his critics at home and opponents abroad. The current political and economic stability of the proud nation goes to the credit of his strong leadership."

● Europe continues to divide the Tories, but it's certainly not going to trouble Nicholas Soames, the Armed Forces Minister. Pressed in the Commons yesterday about a Euro directive requiring the equal

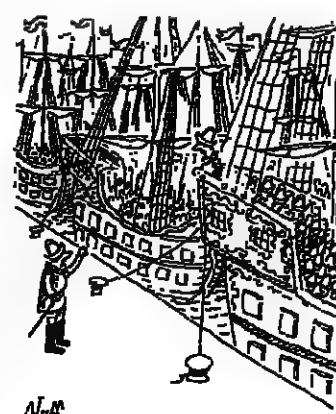
treatment of men and women at work and its effect on the Services, he came clean: "I am sorry, but this EC nonsense is beyond me."

## Top dog

AFTER THE Scott report comes the much more exciting Scottie report. Today the Westminster Dog of the Year competition, in aid of the National Canine Defence League, is to be judged. It will come down to a choice between a Tory mutt or a Labour pooch. "Although about 50 dogs have entered," says a spokeswoman, "we have not had a single entry from the Liberal Democrats. Perhaps it is a taste of things to come in the general election. David Owen says he is not entering his dog because he already knows it is the best."

## Service call

AT LONDON'S fancy Ivy restaurant this week, I nearly choked on my oysters when I spotted a fellow journalist, Alexander Chancellor, wielding a mobile phone. It's simply not done at the Ivy, as I explained to Chancellor after the meal. He had the perfect excuse: "I'd been waving my arms about for ages but I couldn't attract a waiter," he said. "They were just very busy, so I rang up



"Scrub the Armada, we're suing them instead"

the restaurant from the table and asked for more coffee. They were astonished." And, doubtless, admonished.

● I am delighted to report that Hong Kong has benefited from the Foreign Secretary's largesse. Instead of trussing the £50 he won off Martin Lee, leader of the Hong Kong Democratic Party, after a wager over Britain's decision to grant visa-free access to Hong Kong citizens, Malcolm Rifkind donated it to a local charity.

P-H-S

## Boys who learn to be losers

Chris Woodhead on the white male culture of failure

THE failure of boys, and in particular white working-class boys, is one of the most disturbing problems we face within the whole education system. Research shows that white working-class boys are the least likely to participate in full-time education after the age of 16, and that white boys are the most likely to be completely unqualified on leaving compulsory education.

Girls outperform boys at seven, 11 and 14 in national curriculum assessments in English, maths and science. Girls are more successful than boys at every level in the GCSE. Girls are more successful than boys in almost all major subjects and are now achieving success in traditional boys' subjects such as design and technology, computer studies, mathematics and chemistry. Physics is the only subject in which boys now outperform girls.

These findings, worrying as they are, need to be put alongside the results of school inspections showing that, in most schools serving areas of urban disadvantage, boys and girls alike continue to underperform. Standards in reading and writing remain well below national norms. In schools serving the most disadvantaged areas, less than 15 per cent of pupils achieve five or more GCSE grades A-C. The best schools in these areas achieve average GCSE point scores per pupil which are only about one third of that of schools in more advantaged areas.

There is perhaps nothing surprising in these figures. Such schools can, after all, experience huge problems. It may be very difficult to recruit and retain good teachers. Disruptive pupil behaviour may be exacerbated by inadequate parental support. The fact is that our most disadvantaged children, especially boys, remain disadvantaged at the end of their schooling. Ofsted's experience so far with failing schools, which include significant numbers of boys-only schools in disadvantaged areas (the recently closed Hackney Downs for one) confirms this.

Why? The honest answer is that nobody knows and it becomes increasingly important that we find out. Theories, of course, abound. Is it that girls want to please their teachers more? Is it that lessons have become more unstructured than they once were, and that girls can cope with this better than boys? Is it that in some primary schools there are few, if any, men to act as role models for the boys? Nowadays even the caretaker may, it seems, be a woman. Is it that employment prospects for boys are bleaker than they are for girls and that there is no motivation, therefore, for boys to work? Or, in areas where unemployment is not as high, that white working-class boys are more confident than their peers from ethnic minorities that they will secure jobs without any qualifications? Do we, as a consequence, now have a culture among white working-class boys which is deliberately and explicitly anti-educational? Is there, as some social commentators would have us believe, a general crisis in male confidence and our teachers are simply trying to pick up the pieces of the shattered male ego?

It is widely believed that many minority communities have a greater commitment to education and value qualifications more highly. Conversely, the Education Select Committee concluded last year that there was, in white working-class communities, a lack of a general educational culture.

Solutions to the problem do not, however, depend upon any all-encompassing psycho-social theory. Anti-educational cultures grow out of the experience of educational failure. Boys who do not learn to read at primary school are boys who are likely to play truant at secondary school. It is, therefore, extremely disturbing to find that one in five of the seven-year-olds in schools involved in Ofsted's recent inspection of reading in three London boroughs achieved no score at all when tested at seven. Boys were, predictably enough, outperformed by girls in these tests. We must, whatever else we do, ensure that standards of literacy and numeracy are raised in inner-city primary schools so that all pupils, but particularly boys, are equipped with the basic skills upon which all learning depends.

It is also clear that our secondary school system has been too preoccupied with academic excellence. This is why Sir Ron Dearing's review of 16-19 education is so important. The challenge is to preserve the integrity of the academic, while developing rigorous and challenging vocational courses that can motivate pupils (in particular boys) who by the age of 14 have rejected the traditional academic diet. Much remains to be done before we can be sure that we have in place courses which will convince boys alienated by school that there is a reason to continue in education and training.

Other initiatives are worth pursuing. Better liaison with parents will, of course, pay dividends. Pupils who do not have facilities at home will benefit from homework clubs. In the future, education for parenting may do something to help with the problem of boys living in single-parent families who have no role models. But the essential challenge must be to ensure that the foundations of literacy and numeracy are laid securely in primary school, and that secondary schools have access to a range of appropriate courses for girls and, above all, boys of all abilities.

The author is Her Majesty's Chief Inspector of Schools.





## EUROPE'S REALISTS

Britain bids boldly for the ear of France

Malcolm Rifkind made an important speech on European foreign policy yesterday, made it in Paris, and astutely hinted what a relief it was to be discussing such matters with fellow-adults. Without once mentioning Germany, he remarked that "for reasons we understand", some countries were embarrassed to refer to national interests, preferring "the language of European interests".

France and Britain, he went on, were schooled instead by imperial history and their continued worldwide commitments to take foreign and defence policy seriously. They took the national interest as their starting point; and they were right to do so since in a modern democracy it was an enlightened concept, "the collective expression of the democratic process". With France, Britain could discuss the world as it really is, not as "those who sleep with the Treaty of Rome under their pillow" might wish it to be.

From this starting point — one which would have been unthinkable for a British Foreign Secretary during the Mitterrand years — Mr Rifkind proceeded to take apart the Franco-German plans for developing the EU's common foreign and security policy (CFSP).

The CFSP, Mr Rifkind said tactfully, had achieved much in its first three years and he was as determined as anybody to build on this. Provided they were workable, Britain had no wish to quibble over precise institutional arrangements. But there was no getting around the core requirement: CFSP policies must be genuinely shared. He, therefore, welcomed the "implicit recognition" by France and Germany that Britain would not give way on majority voting.

The solution now advocated by the French and German Governments is "constructive abstention". A country that objected to a policy could not block it but would not have to join in implementing the decision. EU funds could still be used and the country concerned would be expected to show "diplomatic and financial solidarity". Mr Rifkind cut through this sophistry with a

lawyer's elegance. He was careful not to denounce the scheme outright: it would be fine, he said, where countries were unable to join in implementing a policy they supported, as with Germany and Uniprofor. But if it became majority voting in disguise, it would be an absurdity. There was already provision under Maastricht for majority decisions on the implementation of a policy once agreed; no "clever institutional fixes" would compel countries that actually disagreed with a policy to support it. Would France have "constructively abstained" from an EU policy against nuclear tests?

Britain's case for the IGC will be that in many important areas the national interests of European Union governments coincide and there is "genuine added value in joint action". Where disagreements are minor, joint action could still be feasible. But the construction of joint positions cannot be an end in itself: a sham display of unity convinces nobody, particularly not those who can sense the exercise of real power.

The difficulty with British pragmatism is that its positive proposals tend to look small and unimaginative. Mr Rifkind has understood the French need for a grand "European" gesture. He attempted to meet it by offering British support for a new foreign policy representative of the EU who could give the EU a "clearer voice".

Mr Rifkind's essential message is that Britain is prepared to work at making the CFSP "an increasingly robust complement" to national policies; but that in the real world, it is no replacement for them because "Europe does not yet have the single coherent world vision, the deep-rooted instincts of a national foreign policy". Outside the framework of an EU inter-governmental conference, this may sound like the simplest of truths. France, which has never in practice allowed EU dogma to affect its freedom of action in foreign policy, may indeed think much like Britain. But Mr Rifkind is right to try to convert tacit sympathy into working alliance. Even with President Chirac, it will not be easy.

## HOME TRUTHS

Neither party's housing policies are likely to impress voters

Tony Blair's effort to represent Labour as the "party of home ownership" may seem like another audacious incursion into ideological territory which the Tories had long regarded as their own. But with the general election approaching, Tory strategists would be rash to ignore this latest theft of their clothes.

Mr Blair's main message is likely to resonate with the public: the Tories have turned themselves into "the homewreckers" party — the party of negative equity, of repossession, broken dreams and falling house values, the party which encouraged people to buy their own homes and then turned on them once they had done so. This accusation will strike many voters as justified whatever may be said about the impracticality or irrelevance of the specific new policies proposed by Mr Blair.

To look at these proposals in detail there is indeed very little to help existing victims of negative equity and excessive mortgage borrowing, although there are some ideas to make these mishaps less likely in the future. Particularly welcome is Mr Blair's call for mortgage lending to be included under the Financial Services Act, which would require lenders to offer their customers "best advice". If such regulation had been in force in the 1980s, millions of homeowners would have been saved from unsuitable endowment mortgages which make it far more difficult to escape from negative equity. But protecting future borrowers from unsuitable endowment mortgages will do nothing to help those who were trapped in the 1980s.

To offer any substantial help to these

people would require something more controversial than regulation of the way mortgages are marketed in future. For many people with negative equity, the main hope of relief could come from cashing in endowments to pay down their mortgages. But the present structure of endowment policies makes this inordinately expensive and difficult. To force lenders and insurance companies to compensate those who had been sold inappropriate mortgages in the 1980s would take retrospective legislation or very aggressive regulatory arm-twisting.

As the general election approaches ministers will no doubt draw attention to such holes in Labour's plans. But this is unlikely to be enough to win back disillusioned voters. Millions of Britons have suffered big financial losses in the housing market. They blame the Government for tempting them into home ownership at the worst possible time and for creating the financial free-for-all which left them saddled with excessive and badly structured mortgages.

To win these people back the Government will have to do more than ridicule Labour. It will have to come up with a credible explanation of how homeowners can claw their way out of negative equity in an economy where house prices will rise only slowly, if at all. The Government must ensure that people can arrange mortgages suited to their personal circumstances in an atmosphere of financial plain-dealing. It must then maintain the environment of low interest rates and steady growth which will allow these loans to be paid off.

## SEND FOR SERENA

Heads-up sitrep: some of our paintings are missing

The Colonel tinkled the Benin mess bell. Halberdier mess corporal Groggin shimmered in silence, but still with that regimental snap for which the Halberdiers are famous. "Another pink gin, Colonel?" he asked with the deferential understanding taught as basic training for his trade.

"Groggin," barked Colonel Tommy. "I know we do not discuss religion, politics or women in this mess. But desperate situations call for desperate what-have-yous. Things have gone Awol. We are going to be caught with our Number One mess trousers down at the next audit unless we smarten up our ideas."

"There is always bound to be a certain amount of leakage from the night bar, sir," sighed Corporal Groggin. "Young officers will forget to enter their names in the book. And I have known mess waiters to water the whisky. But if I catch one of them at it, I will have his guts for a duster to polish the regimental silver."

"No, no whisky; we seem to have lost some paintings," said the Colonel. "There is a frightful flap at the Ministry of Defence. Some Whitehall Warrior from the National Audit Office has counted all the Army's paintings out and failed to count 184 of them back. And now the whole story has leaked to the reptiles in Parliament and the press."

Corporal Groggin looked round the mess he loved. The oil-painting of the unbroken square of Halberdiers at Omdurman, or was it Chillianwalla, hung in its place of

honour over the fireplace. The table was lit with huge many-branched candelsticks which commemorated the military history of the last century in silver palm trees and bowed silver savages. "Of course, there is that unregimental picture of the civilian woofler which the young gentlemen use as a target for snooker balls," said the corporal. "But that is in no condition to show to the snoots from the National Audit Office."

"Damned busybodies!" cried the Colonel. "This is what comes from letting civilians into family matters. The Halberdiers liberated a lot of our paintings in Germany at the end of the war. Others came to us when we were amalgamated with the Cuirassiers. But this Comptroller Wallah says that any Army paintings that have not wandered off are still hung where they are at risk. At least we can do some damage limitation."

"I doubt it, sir," said corporal Groggin. "There is no such place as a safe location on mess night. But you know the RSM's motto about Bullshit Baffles Brains. The wife of the Minister of State for the Armed Forces recently recovered property that burglars had stolen from her where the police had failed. If the Halberdiers were to engage her as investigator to look for our missing paintings, it would be a gesture to baffle the accountants. And she might even find them."

"If only we can remember what they are," said the Colonel. "But you are right, as usual, Groggin. Thank you. And now I think I will have that pink gin."

## Hostages' fate and Rushdie fatwa

From Lord Howe of Aberavon, QC

Sir, I am naturally reluctant to take issue with Jill Morrell, John McCarthy and their friends after all that they suffered. But their letter (March 2) rests upon a fundamental misunderstanding of the reference to hostages by the President of the Board of Trade, Ian Lang, on *Newsnight* on February 26.

Throughout the Iran/Iraq conflict Britain's policy was indeed one of strict neutrality. The sale of arms manufacturing equipment — to either side — was never an objective, still less a predominant one. On the contrary.

The hoped-for relaxation of the so-called "Howe guidelines" in light of the ceasefire in August 1988 would have applied equally to both countries. That posed no risk to the safety of the hostages (or other prisoners), whether it became public or not.

What did worsen their plight, however, was the Iranian fatwa pronounced against Salman Rushdie in February 1989. Particularly galling — even more for the hostages and their families than for me — was the fact that this came just one week after my second meeting with Iran's Foreign Minister, Dr Ali Akbar Velayati, reaffirming our move of a few months before to restore diplomatic relations between our two countries. That had improved our chance of pressing the hostages' case.

But the barbaric fatwa, as I told a strongly supportive House of Commons (report, February 22, 1989), left us no option but to put that relationship back into the icebox. And that required, ceasefire or no, strict control of exports to Iran. It was that (necessarily discriminatory) tightening of the guidelines which, if made public in that form, might amongst other things have increased the risk to the hostages.

The Government's response to the fatwa was carefully measured. And when, in the weeks that followed, William Walsgrave and I met the hostages' families, they continued to accept with deep and understandable anxiety the necessary wisdom of Britain's stand against doing deals to secure the release of their loved ones.

We still have nothing but admiration for the courage with which, throughout those dark years, they bore the grimly fluctuating balance between hope and despair.

Yours etc,  
GEOFFREY HOWE  
(Secretary of State for Foreign and Commonwealth Affairs, 1983-89),  
House of Lords,  
March 5.

## Arms trade

From Mr Bernard L. Baboulene

Sir, In the fallout from the Scott report it is good to see the sheer wickedness of the arms business getting a mention (letters, February 29, March 2), and one would like to see more. All the arguments about jobs and the balance of trade must have applied in their day to slavery and the slave trade, especially the well-worn "if we don't do it someone else will".

So three cheers for Anatole Kaletsky for demolishing them all ("Morals more than markets", February 27). Someone has to take a lead.

Kaletsky shows how slight and temporary the economic effects would be, and if the will is there the problems of definition would soon fade. "When is a slave not a slave?" would have made a good controversial feature 200 years ago.

Yours faithfully,  
B. L. BABOULENE,  
10 Richmond Avenue, SW20,  
February 27.

From Mr Victor Serebriakoff

Sir, Saker's letter (February 29) would be good advice if it were realistic.

The Western world which, with all its faults, is generally reliable and trustworthy, happens to have the largest, most advanced and fastest-growing arms industries. And as the Gulf War has proved, technical superiority is of enormous and growing importance in disabling an enemy with the least collateral damage. Maintaining this superiority is only possible if there is a large cash flow from selling arms — wherever possible, less advanced ones.

All attempts at agreements among first world countries to limit arms to irresponsible regimes break down in the face of competition, and often corruption. They get the arms somehow. If the West did what it would prefer to do, and set limits on the arms trade, the vital revenue would go to even less scrupulous regimes.

The way to stop evil despotism from starving their people to buy arms could best be done via the financial system. Bankers have it in their power to block transfers of cash for undesirable arms deals and governments can insist that they do.

Yours etc,  
VICTOR SEREBRIAKOFF,  
Flat 1,  
6 The Paragon, SE2,  
March 1.

Letters for publication should carry contact telephone numbers. We regret that we cannot accept letters by telephone but they may be sent by fax to 0171-762 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-762 5000

## Fast response to oil spillages at sea

From Commander Martin Sands, RN

Sir, The *Sea Empress* disaster at Milford Haven (letters, February 23, 28, March 1) has again demonstrated the conflicts of interest which arise between the parties in a salvage situation. Once the salvor has got the casualty to accept a salvage agreement his sole aim is to save the ship and be suitably rewarded for doing so. He gets nothing if unsuccessful.

The whole incident occurred within the jurisdiction of the Milford Haven Port Authority, whose remit includes a responsibility for the safety of the environment. It must have been obvious to all concerned, as this extraordinary drama unfolded, that to bring the stricken ship, pouring out vast quantities of oil, actually into the Haven and to let it continue to do so for some days, would greatly increase the calamity for the leisure-based economy of Pembrokeshire, upon which most of the population ultimately depend.

It must have crossed their minds that the cost of this pollution to Pembrokeshire would far outweigh the value of the ship and what remained of her cargo. Despite the inevitable opposition of the salvors a sensible solution in the public interest would have been to deny her entry and insist that she be taken a long way out to sea to be pumped out as weather and other circumstances permitted, and to accept the possibility of her total loss and some pollution in the open ocean.

Presumably only the Government had the authority to demand such a course of action, but not, alas, the bottle. If ever a case merited an independent inquiry this one does.

Yours sincerely,  
MARTIN SANDS,  
The Longhouse, West Williamston,  
Kilgyle, Pembrokeshire,  
March 1.

## Trouble in the air

From Mr Fred Wachsberger

Sir, Dr John Powell's unfortunate experience of an overbooked flight (letter, February 29) is simply the result of the crazy system that all airlines use to sell tickets.

The cheapest fare is an Apex, booked ahead, with fixed flight times and no refund if you don't show up — just like a theatre or concert ticket. If the Apex fare is, say, £150, then a full economy fare, allowing you to change flights, change dates, or even not go at all is usually around £350. In effect the extra £200 paid is an insurance premium.

Since when does one get an insurance premium back if the event or incident insured against doesn't happen?

I travelled back from Chicago to Manchester in 1994 in economy class, and saw two people and 14 empty seats in the business class in front of me. I was told by the flight attendant that 12 passengers had not shown up. For that they would not have been penalised.

In my experience in the travel trade, the "offending" non-passengers probably booked on the day or two before as well and would get a total refund; their booking agents lose their commission and remuneration for all the work they have put in and the airline

loses revenue.

To compensate for the expected number of no-show passengers the airline will proportionately overbook, but if they do show up after all, then innocent passengers like Dr Powell will be left behind at the airport. The system is truly crazy.

Yours sincerely,  
FRED WACHSBERGER,  
Howden Close Cottage,  
Corbridge, Northumberland,  
March 1.

From Mr A. J. Lucking  
Sir, A 1993 report by the Association of European Airlines largely demolished the "selfish-businessman" justification for overbooking. It found that the major cause was speculative bookings by travel agents. Passengers accounted for only 30 per cent of the problems, with changes in itinerary more significant than duplicated bookings.

The full-fare passengers are particularly likely to be "bumped" because they can be transferred to other airlines without incurring extra costs.

Unfortunately, the airlines yield to commercial pressure, for example from major tour operators, and overrule the computer predictions.

Yours faithfully,  
A. J. LUCKING,  
20/17 Broad Court, WC2,  
February 29.

From the Chairman of the National Trust for Scotland

Sir, Your obituary of the Duke of Atholl mentioned that he had been a vice-president of the National Trust for Scotland, but not that he was president from 1994 until his untimely death.

In both of these positions and in the many other roles he gave devoted service to the trust, and his leadership, advice and wisdom will be sorely missed.

Yours faithfully,  
HAMISH LESLIE MELVILLE,  
Chairman,  
The National Trust for Scotland,  
5 Charlotte Square,  
Edinburgh 2,  
February 28.

From Mrs Angela Willbourn

Sir, There is a cheaper alternative to Andrew Carnegie's method of extracting a letter from a reluctant correspondent (Mr Fred Mann's letter, March 2).

During the last war the mother of a friend of mine was in despair at never hearing from him. She wrote to him saying that if she didn't have a reply within the next week she would ask Sandy Powell on the forces programme to play a tune for him with the message, "Please write home to your mother."

Many years later I employed the same device with one of my sons away at school — only substituting "the Jimmy Young show. Reply came by return post."

Yours faithfully,  
ANGELA WILLBOURN,  
Asion Cottage,  
Asion, Nr Stevenage,  
Hertfordshire,  
March 2.

## Many thanks

From Mr P. R. Shortell

Sir, My most successful thank-you letter (letters, February 10, 20, 25, 28, March 2) was also the least arduous.

I had received a book for Christmas which contained the Nigél Moleworth Self-Adjusting Thank You Letter. It began, if my memory serves: Dear aunt/uncle/pencil/sinker/lot. Thank-you for your present. I have played with it constantly/broken it already/got three more like it.

I typed up numerous carbon copies with suitably adapted wording, crossed out bits and sent them off. To my amazement, I received several replies — the only time I got thank-you letters for a thank-you letter.

Yours faithfully,  
P. R. SHORTELL,  
St Hales Road,  
Cheltenham, Gloucestershire,  
March 3.

## Times traveller in the realms of gold

From Mr James Bishop

Sir, In your admirable tribute to Thomas Massa Alsager (Owed to *The Times* money man, February 28) there is one aspect of his service to your newspaper that deserves greater emphasis. I refer to his work in speeding up the process of getting the news to the paper.

In 1834 Alsager, who among his many other responsibilities ran the communication department, introduced a system of exchanging both horses and carriages instead of only horses at the staging points, thus saving vital minutes in the process of getting reporters (who were trained to write their copy en route, whirling along, as one of them described, "at the rate of more than 13 miles an hour") back to the office.

Further afield Alsager, working with the then manager William Delane (father of John), introduced many ingenious methods of outstripping the regular mail. These included the use of Admiralty steamers from Alexandria to Malta and Marseilles and the later introduction of a faster, competitive service, the employment of special couriers in many parts of the world as well as dromedaries in the Suez isthmus and pigeon post from Paris to Boulogne, and the chartering of ships and trains. These and other systems of getting news to *The Times* first greatly contributed to its early reputation, and notably to the success of Alsager's own City office.

There were, of course, huge costs involved, and it is doubtful whether Alsager and Delane revealed their true nature to the proprietor, John Walter II. This led to what you politely refer to as their "over-creative" accounting, which involved showing a fictitious profit by the device of carrying forward the costs of newspaper into the following year and including the reserves set apart for contingencies in the current year.

The accounts for these years were apparently destroyed, for they no longer exist in your archives, and in these circumstances it is not surprising that the proprietor called for the resignation of both men.

Yours etc,  
JAMES BISHOP,  
11 Willow Road, NW3,  
March 4.

From Miss Jill Bickerton

Sir, Thomas Massa Alsager was my great-great-grandfather.

The family always thought that because he and William Delane, joint managers of *The Times*, were getting on in 1846 — Alsager was 67 — the major cause was speculative bookings by travel agents. Passengers accounted for only 30 per cent of the problems, with changes in itinerary more significant than duplicated bookings.

The full-fare passengers are particularly likely to be "bumped" because they can be transferred to other airlines without incurring extra costs.

Unfortunately, the airlines yield to commercial pressure, for example from major tour operators, and overrule the computer predictions.

Yours faithfully,  
JILL BICKERTON,  
2 Queensdale Walk, W11,  
February 29.

## Weather wisdom

From Professor B. J. Hoskins, FRs

Sir, We all enjoy a good snipe at the Met Office ("Met chief to pay for failings", report February 29, later editions). However, I do believe that, in the increasingly critical and ever more narrowly focused discussion — in reports issued first by the National Audit Office, then by the Public Accounts Committee and later by the media — sight is being lost of the crucial point: we have arguably the best national meteorological service in the world.

Personally, I can only be pleased that the Met Office spends more time on understanding and predicting the weather than it does on designing artificial targets which both satisfy the bureaucrats and can easily be attained.

Yours faithfully,  
BRIAN HOSKINS,  
(Head of Department of Meteorology),  
The University of Reading,  
2 Earley Gate,  
Whiteknights, Reading, Berkshire,  
March 1.

## Moggie and Clyde?

From Mr Manthos Kallos

Sir, You report today that the manager and two staff of a DIY store in Wales were sacked for threatening a cat with an air gun.

How does one threaten a cat? A boot up the backside may impress it but surely shouting "You are surrounded by armed gunmen. Come out with your paws up" means nothing to a cat.

Yours faithfully,  
MANTHOS KALLOS,  
Mollands, Hillwood Grove,  
Hunton Mount, Shenfield, Essex,  
March 5.







## OBITUARIES

## ANNA LARINA

Anna Larina, widow of the Bolshevik theorist Nikolai Bukharin, died on February 24 aged 82. She was born on January 27, 1914.

IN ONE of the most dogged individual campaigns ever to be conducted against the might of Soviet state persecution, Anna Larina in 1988 secured posthumous acquittal on charges of treachery for her husband Nikolai Bukharin, who had been done to death by Stalin fifty years earlier. Although she had spent more than twenty years in prison and exile herself as the wife of an "enemy of the people" she achieved complete vindication for Bukharin when, in February 1988, the Soviet Supreme Court dismissed all the charges that had been brought against him at his trial in 1938, and restored his membership of the Communist Party.

None of this, admittedly, could completely alter the historical view of Bukharin. He had been an ardent Bolshevik. Ignoring Lenin's warnings of what Stalin was capable of, he had, after the former's death, collaborated enthusiastically with the man who was subsequently to have him judiciously murdered. His conduct during the trials of Kamenev and Zinoviev fell well short of the heroic.

Yet his posthumous acquittal exonerated him, at least, from the charge of treachery to the system he had so ardently championed (he had been accused of spying for the Germans). Above all, it was a testament to the shining courage of a woman who fought tirelessly for his reputation in those bleak years after Bukharin's execution when truth and decency seemed buried beyond hope of retrieval.

Anna Mikhailovna Larina lost her mother early in her life and she was brought up in the family of her uncle Yuri Larin. Her parents, ardent Marxists, had spent a number of years before the First World War in exile outside Russia, and she grew up quite unambiguously a daughter of the revolution. In the 1920s in Moscow the occupant of the apartment below that of the Larins was Nikolai Bukharin, a man already in his forties, famed as a Marxist theorist and one of the nascent Soviet Union's foremost intellectual propagandists. Even as a young girl Anna Larina's ardent nature responded to his flame-like ideological passion. One of her early memories was of his weeping uncontrollably over the body of Lenin as it lay in state in Red Square.

By the time she was 16 the pair were irrevocably in love. But the miasma of Stalin's paranoia had already begun to



infect Bukharin's lustrous reputation. When Stalin had first moved against the Bolshevik Old Guard, Bukharin had been a ready enough auxiliary. But Stalin used the same tactics against him as he had against them. Bukharin's supporters throughout the Communist Party were deprived of their posts and their influence. Then he was personally assailed by Stalin, accused of having lost faith in the Dictatorship of the Proletariat. In August 1929 he was deprived of his membership of the Communist Party — an effective condemnation to political death. At that stage he signed a recantation of all the "crimes" of which he was supposedly guilty. But he was still to endure several years in the wilderness.

To his credit he was unwilling to involve the young woman he loved in the perils of his situation. But her own ardent nature would not be denied, and they were married in 1934. She bore him a son, Yuri, two years later. By the time of their marriage Bukharin had to some extent been allowed back into the fold, and was Editor of the government newspaper *Izvestia*.

At first, in tandem with Carl Radek, his chief leader writer, his stewardship of the paper appeared to be exemplary, and Stalin's every policy received wholehearted support. But as time went on it began to be perceived in the Kremlin that *Izvestia* was not as uncritically enthusiastic about Stalin's Soviet Union as it might have been. When other papers were praising the Stakhanovite movement (which encouraged workers to find ways of increasing production), *Izvestia* was unaccountably silent on the subject. Other aspects of Soviet life were damned with faint praise. As Stalin became more extreme, *Izvestia* appeared dangerously moderate. Rumours began to spread that *Izvestia*'s editor was flirting with notions of restoring capitalism.

In 1937 both Bukharin and Radek were arrested. In spite of a defiant speech at his trial, Radek escaped with a sentence of ten years' imprisonment. Bukharin, arrested after Radek, was charged with spying for "Fascists", sentenced to death at the most famous of Stalin's show trials and shot in March 1938. Before his arrest, aware of

what was impending, he had pleaded with his young wife to commit to memory for future generations a letter protesting his innocence — a protest far too dangerous to be committed to paper. Reciting it over and over again like a litany, Larina memorised her husband's last testament word for word. It was not until three years after Stalin's death that she dared to put it down on paper.

The years after 1938 were grim ones for Bukharin's widow. Her son was taken from her and raised in orphanages under another name. She was sent to internal exile in Astrakhan and then brought back to Moscow where she spent three years in an underground cell in the notorious Lubyanka prison.

There, she was savagely interrogated by Beria, Stalin's sadistic chief of secret police. "If you want to survive then shut up about Bukharin!" he screamed at her before sending her into exile again, this time to a Siberian prison camp. There she sustained herself by reciting her husband's letter "like a prayer" every day.

Released from the gulag in 1945, she was kept in exile for another 14 years, only returning to Moscow in 1959. From that time forward she devoted her energies to clearing her husband's name. First, she appealed to Khrushchev, who ignored her letters. Similarly, Brezhnev fell, equally, on deaf ears. When Gorbachev became Soviet leader she sought a personal interview with him. She begged him in impassioned tones to seize a unique opportunity to restore truth to Soviet historiography and erase the stain on her husband's memory.

Gorbachev so far relented as to mention Bukharin's name in a speech commemorating the 70th anniversary of the Bolshevik revolution, in 1987. Then, in the following year, the Soviet Supreme Court formally exonerated Bukharin and a number of other prominent victims of Stalin's terror from the crimes with which they had originally been charged. Finally, in April 1988, Bukharin's *Letter to a Future Generation of Party Leaders* was published in full. It was a complete posthumous vindication of the man Lenin had called "The Golden Boy of the Revolution".

After this victory Larina devoted the remainder of her life (with her son Yuri, with whom she had been reunited in 1956) to preserving Bukharin's memory. She is survived by her son and a daughter from her second marriage, to Pyotr Fadeyev, whom she had met and married in Siberia. He died in Moscow in 1959.

## VEHBI KOÇ

Vehbi Koç, Turkish businessman, died in Antalya on February 25 aged 94. He was born in Ankara in 1901.



VEHBI KOÇ was Turkey's answer to Horatio Alger, a boy who left school to run a grocery store and who went on to become a permanent fixture in the *Fortune* 500. Although the conglomerate he founded is easily Turkey's largest company, with an annual turnover of \$9.5 billion, it remains essentially a family firm.

The Koç name and Koç products are all pervasive in Turkey from refrigerators to the hamburger buns in a Turkish McDonald's. Turks drive Koç cars, Koç owned supermarkets back to Koç built homes. They open tins of Koç tomatoes and stay in Koç owned hotels.

Vehbi Koç's own life mirrored the growing prosperity of the young Turkish Republic. He was born in Ankara, a town which at the turn of the century was no more than the last stop on the railway line into Central Anatolia. It suddenly had greatness bestowed upon it when Kemal Atatürk declared it the new capital of the Turkish Republic in 1923. Koç profited from the construction boom that followed. His first big deal was to provide a new roof for the parliamentary assembly.

Despite knowing no foreign languages, Koç travelled abroad to secure the agency for American and European companies. His career was to prove that Muslim Turks could take on the commercial roles performed in the Ottoman Empire by Christians and Jews although many of Koç's earliest and closest associates were members of Turkey's religious minorities.

After the Second World War, Koç went into partnership with General Electric to produce light bulbs. He went on to found Turkey's first white furniture industry in 1955. The first Turkish car was a fibreglass-bodied contraption called the Anadol which Koç produced in partnership with Ford and Reliant. A subsequent partnership with

Fiat now holds the lion's share of the Turkish car market. Koç was awarded the International Chamber of Commerce award in 1987. By then he had handed over the day-to-day running of the company to his son Rahmi.

The group's industrial might bought its share of political influence. Few doubt its ability to shape legislation, sometimes even governments. What was good for Koç Enterprises was probably good for Turkey — at least up to a point. Koç pioneered an industrial revolution in Turkey, but he did so behind protective tariffs. Part of the cost of Turkey's development was borne by the Turkish consumer. Sometimes they suspected they were not always getting their money's worth.

It was no coincidence that the Koç group remained the most powerful lobby to question the customs union agreed with the EU last year, a move that liberalised European exports into Turkey. European embassies began to believe the Turkish side was serious about seeing the treaty through when they heard that the Koç group had dropped its objections.

Vehbi Koç's wife died in 1973 and he is survived by a son and three daughters.

## PETER SAMUELSON

Peter Samuelson, painter and diarist, died on February 12 aged 83. He was born on June 29, 1912.

PETER SAMUELSON'S devotion to painting was long and complete. His career as a painter, on the other hand, was intermittent. Quite how this came about he was hard put to explain. It clearly had

something to do with his restless and wandering spirit, which was encouraged by an international background and led to his spending long years of his early life abroad.

Also, he prided himself on being almost entirely self-taught. He claimed that during a brief period at the New York School of Fine and Applied Arts in Paris, where

he was sent by an uncle in hopes that he might make a good living, he learnt "nothing but mounting technique and snobbery". And certainly he did all he could to avoid the organised art world of the academics and the dealers.

For all that, and his burying himself in the Oxfordshire countryside in later life, he was always extremely social,

provided the socialising was with people who excited his interest. In particular, he enjoyed the company of young people, and could infallibly charm them and coax them into learning. He would have made an inspired teacher if he could ever have settled to the disciplines of a teacher's life. But, as it was, he probably conveyed more to his young

listeners than he might ever have done within a more conventional framework.

If he did indeed learn snobbery at art school he very rapidly unlearned it. He was entirely at ease with the young working men and women who gathered round the lodging house he ran for some years in west London, and who figure so largely in his paintings of the 1950s, included in his book *Post-War Friends* (1987). Looking at them, one sometimes has the impression of seeing the world of Colin MacInnes embodied in images; curiously enough, Samuelson served in the same unit as MacInnes during the war, though he knew him not as a writer but simply as "Sergeant Mack".

Samuelson's primary artistic interest in painting people went right back to the beginnings of his art. He spent most of his childhood on a fruit farm in Kent, his brief brush with boarding school proving a disaster for all concerned. When he was 15 he was sent to live with relatives in the South of France.

From there after two years he made his way to Paris, and while following his uncle's plans for him by some desultory study at the New York School, he supported himself as an errand boy. But he still endlessly painted and drew, though very much in his own fashion, which at this time was somewhat influenced by the French Surrealists he was beginning to discover in the Paris galleries.

In 1935 he married a Dutch woman, Ina Van Blaaderen, a spectacular beauty. By her he eventually had two daughters and a son, and returned to live



Ina with Hat by Peter Samuelson, 1949

in England, in his childhood home. He dated his first really intensive period of painting from that time, though he was inclined to dismiss the work then produced as his "primitive period". It was, in fact, very capable, painted with an hallucinatory intensity which suggested the German painters of the *Neue Sachlichkeit* (New Objectivity), though quite probably he did not then know the movement's work.

During his war service, spent mainly on bomb disposal in Britain and on the Continent, Samuelson had lit-

ton, for some years, quite forgotten by the art world. But he saw a lot of people, and was able to draw and paint them for his own pleasure.

He could also continue to work in earnest on his other life-work, an enormous, Proustian autobiography-cum-diary. In later years he would divert his friends with readings from it, which combined the delicately and precisely atmospheric with the rather louche and raffish milieu which surrounded him in those postwar years. Samuelson always hoped that this unique document might be published, if only after his death.

In the 1960s he found a new interest, in oriental rugs, and soon became an expert. Also, under the tuition of Raymond Bernardot, he developed into a highly skilled restorer, an activity which came to occupy so much of his time that he stopped painting altogether in 1965. In 1982 he moved from London to an Oxfordshire village, where he could live with his daughter Bridget and devote himself to his rugs, earning extra money, when required, by doing manual work on a local farm. But at this point he was unexpectedly rediscovered by the art world, had several very successful shows in London, and the creative juices started flowing again. Indeed, his last years were among the most artistically productive of his life, with a series of richly coloured portraits crowning his earlier work with a sunset splendour.

He is survived by a son and two daughters.

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# Private nuisance on river barge

**Crown River Cruises Ltd v Kimbolton Fireworks Ltd and Another**  
Before Mr Justice Potter  
[Judgment February 27]

Damage to a floating barge moored in a river was actionable as a private nuisance.

The Admiralty Court of the Queen's Bench Division so held in an action by Crown River Cruises Ltd for damage caused to their vessels by Kimbolton Fireworks Ltd in negligence, nuisance and under the principle laid down in *Rylands v Fletcher* (1868) LR 3 HL 330 and against the London Fire and Civil Defence Authority for negligent failure properly to extinguish a fire.

The relevant vessels were a permanently moored dumb barge, used as a mooring from which passenger vessels operated, and a passenger vessel. Both were in the River Thames close to the Battle of Britain fireworks display in 1990. They had not been required to move but had been warned of falling debris by the Port of London Authority.

A small fire, which was attended by the second defendants, began upon the dumb barge and it was common ground that it had been caused by hot and burning debris falling in the course of the display. Later that evening the passenger vessel returned to moor alongside the barge as was usual. Several hours later fire broke out on that vessel and substantial damage was also caused to the barge.

Mr Timothy Brenton for the plaintiffs, Mr Sebastian Neville-Clark for Kimbolton Fireworks, Mr Nigel Wilkinson, QC and Ms Kerstin Boyd for the fire authority.

MR JUSTICE POTTER said that the first defendants, who had great experience of siting and organising grand fireworks displays, had taken the understandable but none the less foreseeable and unjustifiable risk of some damage occurring in the course of the display, relying on the attendance of the second defendants. They had taken no steps to inspect the contents of the vessels for flammable material and in the circumstances the first defendants had been negligent. His Lordship accepted expert evidence that the fire on board the passenger vessel was as a result of the second defendants' negligent failure properly to extinguish the original fire.

His Lordship went on to consider the claim in both public and private nuisance. The second defendants had submitted that since the essence of nuisance was a condition or activity which interfered with the use or enjoyment of land, it was not an action which lay in respect of damage to a floating barge and/or to any craft moored alongside it.

His Lordship accepted the plaintiffs' argument that the barge was permanently attached to a mooring on the bed of the river of which the plaintiffs had exclusive use and occupation pursuant to a licence. Since the barge was itself in use as

a mooring it was so attached for the purpose of the better use and enjoyment of the plaintiffs' mooring right and therefore sufficient to sustain an action for private nuisance.

A second point taken by the defendants was that the holding of a fireworks display for no more than 20 minutes did not in the circumstances amount to a nuisance.

In his Lordship's opinion, while not wanting to come to any decision which would inhibit the holding of displays upon the Thames on appropriate occasions, the holding of a fireworks display in a situation where it was inevitable that for 15 to 20 minutes debris would fall upon nearby property of a potentially flammable nature created a nuisance actionable at the suit of a property owner who suffered as a result.

Since his Lordship had already held that the plaintiff had a right to sue in private nuisance, a decision on the question of public nuisance would be left to an occasion when his resolution was directly necessary to establish the civil or criminal liability of the defendant concerned.

On the liability issue under *Rylands v Fletcher*, the plaintiff had sought to rely on those cases which had extended the rule to certain situations where the defendant had been held liable for an accumulation on land outside his own possession or control.

His Lordship said that given the extension of the strict application

of the principle to cover accumulations brought upon the highway which caused injury to adjacent property owners, there were strong arguments to extend it to accumulations in or on a vessel in a navigable river.

Equally, with great respect for the dicta of Mr Justice Taylor in *Ridgely v Chief Constable of Northamptonshire* (1985) 1 WLR 1242, there was no good reason for limiting the liability to an accidental release at least where the release was not deliberately aimed in the direction of the plaintiff or with the intention of impinging upon his property.

However, in the light of current judicial and academic reserve with respect to the principle beyond its present limits, his Lordship did not propose to ground the decision in a finding of liability under that head.

Allegations of violent non fit injuria and/or contributory negligence were largely irrelevant to the course which events took. The complaint of the plaintiffs related to damage caused many hours later without any reason to suppose that there was any fire aboard the barge.

For those reasons both the first and second defendants were liable in damages to the plaintiff which would be apportioned at 25 per cent and 75 per cent respectively.

Solicitors: Shaw & Croft; Rayfield; Mr Stephen J. F. Stirling.

**Owners of cargo lately aboard the River Gura v Nigerian National Shipping Line Ltd**  
Before Mr Justice Colman  
[Judgment January 29]

Where a bill of lading issued a number of consignments said to contain a specified number of separately packed items, in the event of loss, the carrier was not entitled to limit his liability under the Hague Rules by reference to the number of containers but to the number of separately packed items inside the containers.

Mr Justice Colman so held in the Admiralty Court of the Queen's Bench Division in giving judgment on a number of preliminary issues arising from an action by the owners of lost cargo aboard the River Gura for damages against the Nigerian National Shipping Line, the carriers.

Article IV, rule 5 of the 1924 Hague Rules, scheduled to the Carriage of Goods by Sea Act 1924, provides: "Neither the carrier nor the ship shall in any event be or become liable for any loss or damage to or in connection with goods in an amount exceeding £100 per package or unit... unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading. This declaration, if embodied in the bill of lading shall be prima facie evidence, but shall not be binding or conclusive on the carrier..."

Mr Jeremy Russell, QC and Mr Robert Thomas for the cargo owners; Mr Jervis Kay and Mr Christopher Smith for the carriers.

MR JUSTICE COLMAN said that the defendants vessel suffered an engine breakdown while in the course of a laden voyage and was stranded off the Portuguese coast. Subsequently she broke up and sank with total loss of cargo.

Much of the cargo had been stored in containers by the shipper before they were delivered to the defendants. The goods were shipped under the UK West Africa Line bills of lading. The form of those bills of lading meant that the carriage of goods was subject to legislation at the ports of shipment incorporating the 1924 Hague Rules.

The carriers raised as part of their defence their entitlement to limit their liability to "£100 per package or unit" under article IV, rule 5 of those rules. They asserted that although many of the bills of lading stated that a container said to contain a given number of separate items, the container itself should be treated as the sole package for the purposes of the article.

The cargo owners contended, however, that the provision was first introduced into the rules in 1922 the average value of a cargo

package was below £100. Given the extent to which £100 had depreciated in real terms since 1922 and the immense volume of modern containers it was inconsistent with the original purpose of the rules of protecting the cargo to treat a container as one package where its contents consisted of separately packed items enumerated in the bill of lading.

In 1922 nothing like containers existed and therefore "package" could only have been intended to refer to cargo items such as crates, sacks or bales or other customary packing used at the time.

His Lordship said that the rules envisaged circumstances where a shipper might furnish information to the carrier which the carrier might not have any reasonable means of checking.

In such circumstances the rules gave the carrier the opportunity of avoiding making a statement in the bill of lading which could create prima facie evidence of the number of packages shipped.

If the carrier sought to limit his liability under article IV, rule 5 the absence of such prima facie evidence did not preclude him from doing so; it merely made his task more difficult.

His Lordship said that there was therefore nothing in the rules which expressly or by implication

precluded from counting as a package an item which the carrier had no means of identifying as a separate package.

His Lordship then went on to consider a number of authorities from other jurisdictions including the United States and Canada. He concluded that the overwhelming weight of international judicial authority was against adopting the approach to construing article IV, rule 5 contended for by the carriers and, unless the language of the convention was capable of only one meaning, the English courts ought to reach that conclusion which achieved international uniformity.

For those reasons his Lordship had no hesitation in concluding that the construction of article IV, rule 5 which the English courts should adopt was that where separately packed items had been loaded into a container by the shipper or his agents and the carrier had had no opportunity to tally or verify the contents of the container and the carrier or his agent signed a bill of lading which, as in the present case, described under the heading "Container not" the identification numbers of the various containers received and stated under the heading "Number and kind of packages; description of goods" words such as "1 x 20ft container etc [said to contain]: 8

cases" of goods, there were eight packages and not one.

However, if the contents of the container were described by words which left it unclear whether they were separately packed for transportation, the container would be the package and not the individual items.

If the contents of the container were described in the bill of lading as said to contain so many separately packed items which in turn were said to contain a specified number of separately packed items, the number of packages would be the smallest category of separately packed items so described.

The defendants further relied on a clause in the bill of lading which sought to impose on the shipper a contractual definition of what constituted a package which would have nullified the effect under article IV, rule 5 of the express enumeration in the bill of lading of separately packed items.

His Lordship considered a number of US authorities and concluded that article III, rule 8 of the Hague Rules applied to nullify the effect of the clause as reducing the defendants' liability for loss from negligence.

Solicitors: Walters & Morse; Hill Dickinson Davis Campbell, Liverpool.

## Notional third person required for offence of affray

**Regina v Sanchez**

Before Lord Justice Simon Brown, Mr Justice Waterhouse and Mr Justice Ognall  
[Judgment February 20]

Affray was a public order offence involving not only the perpetrator of violence and the victim but also a third person, a person of reasonable firmness who was put in fear of his personal safety. The victim could not be the notional bystander.

The Court of Appeal, Criminal Division, so held when allowing the appeal against conviction for affray of Tina Sanchez under section 3(1) of the Public Order Act 1986, in *St Albans Crown Court* (Judge Findlay Baker and a jury).

Mr Rory Field for the appellants; Miss Mallison for the prosecution.

MR JUSTICE OGNALL, giving the judgment of the court, said that when the trial judge came to direct the jury on the essential ingredients of the offence of affray, he dealt first with the requirement of the deliberate use or threat of violence. That direction was without fault.

However, on the other ingredient in the offence, the "person of

reasonable firmness", the judge said that the victim was just such a person and that he was to be believed when he said that he was frightened by the appellant's conduct.

That was a misdirection in that it overlooked the jury's need to consider not only the victim of the violence or threat of violence, but also the putative third person, the hypothetical bystander or person of reasonable firmness who must be put in fear of his personal safety.

Their Lordships cited *R v Dixon* (1992) Cr App R 313 drawing attention in particular to the commentary by Professor Sir John Smith stating that that highlighted the correct approach.

Professor Smith pointed out that the offence of affray envisaged at least three persons: (i) the person using or threatening violence; (ii) the person towards whom that violence or threat was directed; and (iii) a person of reasonable firmness, who need not actually be or be likely to be present at the scene.

Professor Smith then went on to say that the offence of affray was designed for the protection of the bystander. It was a public order

offence. There were other offences for the protection of persons at whom the violence was aimed.

The definition of affray was very wide and the court agreed with counsel that care had to be taken to avoid extending it so widely that it would cover every case of common assault.

A common assault might be trivial so that it would not cause anyone to fear for his personal safety but where the assault threatened serious harm to the victim there might be evidence of affray depending on the circumstances.

The commentary continued that the person of reasonable firmness present in a small room might fear for his personal safety whereas the same person, observing the same conduct in an open space, would not.

Their Lordships added that those comments of Professor Smith applied to the present case where the act of violence took place outside a block of flats.

There was in the circumstances every opportunity for the hypothetical bystander to distance himself.

Solicitors: Turner & Debenham, St Albans; Crown Prosecution Service, St Albans.

## Investigators cannot become receivers

**Sheppard and Cooper Ltd v TSB Bank plc and Others**  
Before Lord Justice Nourse, Lord Justice Aldous and Sir John Balcombe  
[Judgment February 26]

Licensed insolvency practitioners appointed in 1993 at the instigation of a bank to investigate the affairs of a debtor on the clear terms that they would not undertake any responsibility for the management of the company's affairs either now or in the future could not thereafter be appointed administrative receivers of the company.

The Court of Appeal so held allowing an appeal by the company, Sheppard and Cooper Ltd, from the refusal by Mr Justice Harman on February 16, 1995, to renew injunctions granted ex parte on February 13, 1995, restraining the first defendant, TSB Bank plc, from acting on an appointment of receivers on February 7, 1996, and the second and third defendants, Mr Iain Allan and Mr Richard Orschoff, partners in the firm Smith and Williamson, from acting as the company's administrative receivers.

Mr Christopher Moss, QC and Mr Geoffrey Zelin for the plaintiff company; Mr Philip Heslop, QC and Mr J. C. S. M. Brisley for the defendant.

SIR JOHN BALCOMBE said that the company, involved in the antique and ancient glass trade, was not prospering and in February 1993, at the instigation of the bank, it agreed to the appointment of Smith and Williamson to investigate its affairs and prepare a report.

The letter of appointment, dated February 1, 1993, provided that Smith and Williamson would "not undertake any responsibility for the management of company's affairs either now or in the future". That provision was included partly because of the fear that if investigative accounts were allowed in they would find it easy to be convinced that a receivership ought to follow in the hope that they would be appointed. The subsequent report did not recommend the appointment of receivers.

On February 7, 1993, following a meeting between representatives of the parties, the bank, acting

under the terms of a debenture, appointed the second and third defendants as administrative receivers of the company.

The judge had stated that it was possible that the intent and effect of the provision in the letter of appointment was to exclude Smith and Williamson from ever being appointed receivers of the company.

However, having pointed out that the company was in a difficult financial position, he went on to hold that as a matter of discretion the right conclusion on the balance of convenience was to refuse to renew the injunctions because merely to prevent "these particular gentlemen from acting as receivers" would be an act which effectively would be in vain.

The judge was wrong. The provision in the letter of February 1 was so plain as to be incapable of further argument. It meant what it said: in return for taking on the investigation the partners in Smith and Williamson accepted that they would not take any responsibility for running the affairs of the company either then or in the future. After three years it

could not be said that that agreement had spent its force.

In *Doherty v Allman* (1878) 3 App Cas 709, 720 Lord Cairns, Lord Chancellor, had said:

"If parties... contract that a particular thing shall not be done, all that a court of equity has to do is to say, by way of injunction, that which the parties have already said by way of covenant, that the thing shall not be done..."

"It is not then a question of the balance of convenience or inconvenience, or of the amount of damage or of injury - it is the specific performance, by the court, of that negative bargain which the parties have made with their eyes open, between themselves..."

Applying that dictum and *Patel v W. H. Smith (Exors) Ltd* (1987) 1 WLR 853 to the facts of the instant case, the company was entitled to the balance of convenience and the court could not interfere with the judge's exercise of his discretion.

Lord Justice Nourse and Lord Justice Aldous agreed.

Solicitors: Withers; Hammond & Suddards.

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The latest attempt in America to hide television sex and violence from children is a doomed enterprise

## The biggest folly since Prohibition

For lots of things. Virtuousness, vacuity and voter, to name but three — and V-chip makes four. An impending American law will require all new television sets to contain a V-chip. This clever bit of silicon should really be called the S-and-V chip because it can prevent any programme carrying a sex or violence classification from entering the set.

Of course I welcome this decision, taken by the Republican Congress and endorsed by the Democrat President. It will stop either political party from claiming a monopoly on family values in the coming presidential election. It will remind Hollywood and the television networks that they should regain their lost art of showing murder without gore, and sex without clothes on.

Sadly, the compulsory V-chip will not do what its backers want it to do. It will not make America a less violent society. It will not even justify President Clinton's ebullient claim to be "handing the TV

remote control back to America's parents". For the V-chip is the most outwitted child-control device since the out-of-reach biscuit jar. Children have only to be old enough to outsmart their parents at programming the chip, clever enough to watch in their bedroom, where the family's discarded television set inevitably ends up — the V-chip will be fitted only to new sets — or to watch forbidden shows at a friend's house.

Not much juvenile ingenuity will be required to become the neighbourhood supplier of contraband videos for those deprived of their parents of the hot stuff. The V-chip could be America's biggest folly since Prohibition.

President Clinton's concept of "America's parents" itself harks back to a bygone age. All too many

American homes have only one parent. For these, at work or out on the town much of the time, the V-chip's main benefit could be to eliminate guilt about leaving the child with the electronic babysitter.

But the V-chip's function is mainly symbolic. There are already plenty of electronic aids to help responsible parents — particularly those who are cable subscribers — to block out the undesirable. The compulsory chip is the cover for a larger, more contentious campaign — to restore wholesomeness to network television.

The chip demands a national moral-rating system for programmes. Last week American broadcasters agreed to draw up their own by next January. They had no choice. For — and this alarms the American Civil Liberties Union — the new telecom-



BRENDA MADDOX

munications law provides for a federal ratings agency to do the job if the industry fails to do so. And such an agency, claims the ACLU, by imposing a Government-designed code of approved content would violate the constitutional protection of free speech.

A crude classification for sex and violence will be harder to impose

on television than on film. TV is too varied a commodity: an endless, multichannel stream of news, sports, cartoons, stories and conversation.

Schindler's List? Lawrence of Arabia? Tom and Jerry? The history of the American Civil War? Oprah Winfrey on battered wives? A championship boxing match? A massacre in Israel? Personally, I'd rather let children see the evidence that blown-up bodies break into bloody bits than the contorted faces of shrieking mothers and weeping wives. But in Britain, by agreement, the violence is censored out of the news.

The impossibility of designing a code that will satisfy all of America's warring moralists probably will sabotage the V-chip. Simply to classify all television material by next year would mean either that

censors would have to work overtime, or that there would be blank screens.

But the V-chip sounds so good that David Alton, MP, will do his best to fit it into Britain's new Broadcasting Bill, and the European Parliament has endorsed it in principle.

The prospect does not alarm as ardent a civil libertarian as Lord Lester of Herne Hill. "The right to communicate includes the right not to communicate," he says. "As long as it's simply a blab-of thing, it's not a free-speech issue."

Maybe not. But there is a lot to be said for avoiding legislative gimmicks that offer quick fixes to society's ills. Still, I shall not worry. The difficulties of the United States in designing a uniform moral standard will be nothing to those of Europe, where

one country welcomes the head of state's mistress to the graveside while its neighbour considers that the mere fact of having a mistress may disqualify a man from holding the top job at all.

Big names in the BBC seem to be falling over each other to join the new Channel 5, which will take to the air — well, to some of it — next January. Money people, too, are excited about the riches about to be wrung from Britain's last available terrestrial channel.

Hard, I had thought, for a new service to find a niche not occupied by the existing four. But last Tuesday at 8pm I changed my mind. On offer was: children's plastic surgery (BBC1), the British funeral (BBC2), interviews with families of road-accident victims (Channel 4) and an hour-long drama about a compulsive liar confessing to murder (ITV).

Yes, Channel 5 will be very welcome.

## Bimedia is the only way forward

Chris Cramer says the BBC's news policy makes sense

I believe I heard a very old canard sound off in Brenda Maddox's column last week when she suggested that the BBC's policy of using its reporters and correspondents across radio and television news programmes was, in some way, damaging the purity of radio reporting.

The BBC — like many other broadcasters — has been using its staff both for radio and for television for the past 40 years. This is a sensible use of people paid for out of licence-payers' money and fell by the wayside in the 1970s only because of the dynamics of an emerging television industry and the mistaken belief that both media needed their own dedicated reporting resources.

Common sense was reintroduced with the arrival of the BBC's current Director-General, John Birt, who instantly spotted this grotesque waste of staff and money.

Since 1991, the BBC's News gathering department has been operating the so-called "bimedia" policy, with great success and to the admiration of fellow broadcasters around the world.

Far from damaging radio output it has positively enhanced the kind of reportage viewers and listeners now take for granted on Radio 4's *Today* programme and BBC's *Nine O'Clock News*.

Before this it was not unusual for both radio and television correspondents to be deployed on the same relatively simple assignment at home or overseas. One famous occasion had two reporters travelling to the same story on the same aircraft, carrying out their duties and then meeting on the plane back home. Neither knew the other had been deployed at considerable expense to the licence-payer.

There was no way the BBC could continue this practice of running its radio and television news operations as if the other did not exist. Which is why we changed it.

The policy smacked of the same arrogance which suggested that it took three or four technicians — plus the odd producer and a reporter or correspondent — to film a simple news event. We now routinely deploy a single cameraperson and a reporter to film most news stories which appear on our screens.

Nowhere in the BBC's policy have we suggested that radio and television news reporting require the same skills — that "radio news is TV news without pictures". We are not that daft. It is obvious that the power of the spoken word can be more compelling on radio than on television.

Both forms of broadcasting often require a different set of skills. But good journalism is a



The BBC now has reporters, such as George Alagiah, who can work on both TV and radio

common theme. A good radio correspondent is almost always a good television correspondent. And vice versa.

Through training and professional production back-up the BBC has turned excellent radio reporters into superb television practitioners. Fergal Keane, first in South Africa, now in Hong Kong, now has as many television awards to his credit as those he won for radio. Nicholas Witchell and John Humphrys and George Alagiah, formerly television reporters, now work mostly for radio outlets.

Radio may address a different audience and work to sharper deadlines, but the newgatherers work in almost

identical ways. They are professional journalists whose task is to get the facts and that actually to go with it.

Radio has never taken second place in the BBC's bimedia policy. Far from it. It has benefited from the expansion in foreign and domestic coverage which has accompanied the policy of covering the world in a better way. And there is a declared priority when it comes to breaking news: radio comes first.

The BBC's spread of overseas bureaux — the largest for any world broadcaster — has put a broadcaster in just about every part of the globe.

Without a bimedia policy, the BBC could never have

afforded to launch the continuing news service on radio, Radio 5 Live, and will not be able to launch a television version for the UK.

And the bimedia policy will not end there. When radio and television colleagues are housed in the same building in west London, the synergy which has developed since 1991 will enhance further. And journalists working for both media will soon be able to produce news reports for the BBC's planned text and on-line services with just a stroke of the computer key.

Trimedia working is just around the corner. Chris Cramer is Head of News gathering for the BBC.

## A code of practice for teen magazines

Guy Walters looks between the covers and finds girls' magazines are full of sex

Last week, Tom Sackville, the Home Office Minister, held a meeting with journalists to discuss the sexual content of teenage girls' magazines. The move followed the furore created by Peter Luff, the Tory MP, whose Private Member's Bill seeks to make magazines display an age-suitability warning.

The outcome of the meeting will probably scupper the Bill, as it was agreed that a voluntary code of practice will be established within the next six weeks. However, little mention was made of what the code will contain.

Much of the subject matter in titles such as *Bliss*, *Sugar* and *Just Seventeen* cannot be mentioned in a respectable newspaper. A browse-through shows there is much about what boys get up to with bits of their bodies, and how that affects bits of girls' bodies. It was after Mr Luff found his daughter reading one of them that he drew up his Bill.

Many girls under 16 are sexually active, according to a readers' sex survey in *Bliss*, in its current edition (subtitled "A girl's gotta have it") the results are published, and the replies came from 12 to 22-year-olds; 48 per cent of those asked had experienced sex; 82 per cent of them were under 16 years old and 31 per cent were aged 14. Any idea of banning sexual topics would clearly be a disservice to the readership.

Louise Matthews, the executive publishing director of Emap, which publishes *Bliss* and four other teenage titles, says the magazines seek to educate. "Our aims are to provide information to help girls make the right choices," she says, "and to make them realise that sex under the age of 16 is illegal." Dawn Bêbe, the editor of *Bliss*, says that if the magazine received a letter from a 14-year-old who was having sex, "we would say this was wrong and we would explain why; we do bear in mind that our readership is at a sensitive age."

Mr Luff, who says he is "genuinely very encouraged" with the outcome of the meeting, believes such an editorial policy is an excuse to bombard young people with salacious "pieces on how pop stars lost their virginity undermine the magazines' claims that they are offering useful advice," he says.

This makes Ms Matthews seethe. "Much of our editorial content is taken out of context," she says. "If these people have lost their virginity at an early age then we say it's a bad thing. What annoys me about Mr Luff is that he stands up in Parliament and reads coverlines from *More*, which has a readership with an average age of 22." Mr Luff counters this. "It's simply not clear

what age these magazines are aimed at, from *Sugar* all the way up to *More*."

Despite the brouhaha, it looks as though the code of practice will merely formalise existing editorial policy. Ian Locks, chief executive of the Periodical Publishers' Association, says: "The guidelines will be very clear on the issue of children having intercourse before the age of 16. Age guidance is not appropriate; it will only encourage younger children to read the magazines."

"As we see it," says Ms Bêbe, "this will just make things official. I hope people will be reassured by the guidelines. When we discussed what the guidelines might be, we realised that they were already being followed."

On *Bliss*'s Sex Questions page, a blue star already appears bearing the words: "It's cool to wait; sex under 16 is illegal." The magazine also found the results of its survey "alarming", and the accompanying article leaves readers in no doubt that under-age sex is undesirable.

I even publishes a letter from a girl describing her regrets at having sex at 14. In *Sugar*, there is a piece headlined, "Sex — are you in too deep?" The piece is full of advice on how to say no, which is more or less what the industry is saying.

A new code of conduct is unlikely to bring about much change, therefore. Certainly censorship is out of the question: it would only stir up a violent reaction from the press. This could well create a real problem for John Major. Still, perhaps he could write to Sugar's advice page.



Will setting an age limit only entice younger readers?

## Alan Mitchell reports on food marketers who dance around labelling regulations

## How healthy is food containing factor X?

How are consumers to judge the claims marketers make when they offer their products? The question is taking on new urgency as the food multinationals start to tamper with "natural" foods so they can say there is something "New! Improved!" about them.

In the past few months Safeway has started selling a tomato purée made from genetically modified tomatoes. Waitrose is merchandising a range of bread and pasta products that contain omega-3 fatty acids found mainly in fish oil and linked to the prevention of heart disease, and Sainsbury's is stocking LCI, a new Nestlé product impregnated with the *Lactobacillus acidophilus* culture which, it claims, "helps your body protect itself by boosting your body's immune system against harmful bacteria".

Functional foods — foods with special ingredients that offer "medical" or health benefits — are becoming the subject of a war of words over what claims marketers can make about them.

Pressure groups such as the National Food Alliance fear that current regulations allow marketers to dodge many crucial questions. For example, do the products or ingredients actually do what they claim to do when eaten in the form in which they are being marketed? How often and how much of the stuff must consumers guzzle before getting the advertised benefits?

Could the harm done by the carrier — such as over-sugared fizzy drinks, sweets or yoghurts — outweigh the bene-

fit offered by the functional ingredient? As for cost, some "energy drinks" sell at 40 times a litre more than own-label colas.

The biggest issue, however, is substantiation. Regulations about food health claims are strict. Any company wanting to claim that one of its products prevents, treats or cures human disease has to apply for a medical licence.

Jack Winkler, chairman of the National Food Alliance's functional foods working group, says agile marketers are dancing around the regulations. Instead of claiming that a product prevents, say, heart disease, they say it "maintains" or "promotes" a healthy heart or they imply a claim by the name or design of claim by the name or design of the product. MD Foods' Pact, for example, comes in a heart-shaped tub. A new range from Functional Nutrition is simply called Heartwatch.

Mr Winkler says the most subtle evasion device is to use the company's PR machine to get the media gushing about the latest "miracle" ingredient. Then all the advertising has to do is say "with added X".

Manufacturers criticise the "scar tactics" used by some food campaigners. David Richardson, Nestlé group chief scientist and chairman of the Food and Drink Feder-

ation's functional foods working party, insists that pressure groups and manufacturers are fundamentally at one. "Consumers," he says, "do not want misleading and unhelpful claims, and all reputable manufacturers agree." But at present, he notes, "there are no precise guidelines on the nature of scientific validation".

Already there are casualties. Last December SmithKline Beecham was rebuked by the Advertising Standards Authority for its claims about Ribena Juice and Fibre. Today the ASA announces it has upheld three complaints against Gaio, an MD Foods yoghurt-style product which, its marketers claimed, could "help to

lower the level of harmful cholesterol in the body". Speaking at the time of Gaio's launch, David Whitehouse, MD Foods' marketing director, said: "We have invested in independent clinical research to demonstrate the real benefits of Gaio." But the ASA rules that the limited size of this independent research (a six-week study of 54 men in Denmark) means the claims are "unsupported".

Now the Government's Food Advisory Committee says it will review guidelines for labelling genetically modified foods and re-examine existing controls on health claims for functional foods.

### THE TIMES SOCIAL GROUPS TOP-TEN TV SHOWS: ABC1 v C2DE

FEBRUARY 12 to 18, 1996

GOOD television defines class barriers, as all fans of *Coronation Street* know. That programme, together with *Casualty* and *EastEnders*, appears in the top three audience-pullers for both middle-class (ABC1) and working-class (C2DE) viewers, according to the Broadcasters' Audience Research Board.

The National Lottery Live (at six in both Top Tens), *Ballykissangel*, Catherine Cookson, *Antiques Roadshow* and *The Bill* all have broad appeal. But *As Time Goes By*, a second-homeowners sit-com, and the high-flying *Superman* are strictly for ABC1s while C2DEs prefer the more down-to-earth *Emmerdale* and *Play Your Cards Right*.

Socio-economic groups ABC1

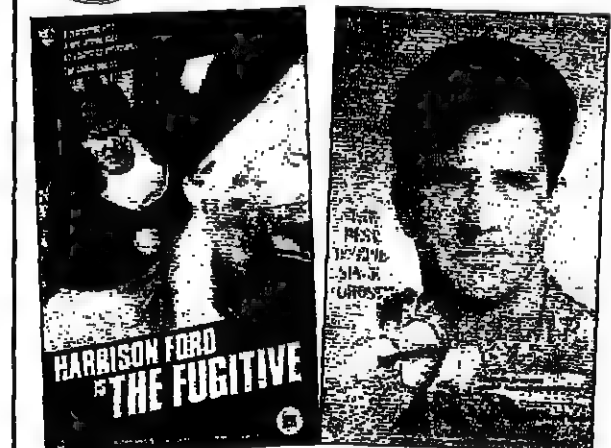
Programme	Date	Time	Channel	Producers	Audience (m)
1. <i>Casualty</i>	Sat 17	20.07	BBC1	BBC	7.2
2. <i>Coronation Street</i>	Wed 14	19.30	ITV	Granada	6.9
3. <i>EastEnders</i>	Thu 15	19.30	BBC1	BBC	6.8
4. <i>Ballykissangel</i>	Sun 18	19.30	BBC1	World/BallyKiss	6.5
5. <i>Antiques Roadshow</i>	Sun 18	19.01	BBC1	BBC	6.0
6. <i>The National Lottery Live</i>	Sat 17	19.51	BBC1	BBC	5.9
7. <i>The New Adventures of Superman</i>	Sat 17	18.15	BBC1	Warner/Dac 3rd	5.7
8. <i>As Time Goes By</i>	Sun 18	20.05	BBC1	Theatre of Comedy/DLT	5.3
9. <i>The Bill</i>	Fri 16	22.02	ITV	Thames	5.3
10. <i>Catherine Cookson's The Girl</i>	Fri 16	21.02	ITV	Festival/Worldwide	5.2

Socio-economic groups C2DE

Programme	Date	Time	Channel	Producers	Audience (m)
1. <i>Coronation Street</i>	Wed 14	19.30	ITV	Granada	6.9
2. <i>EastEnders</i>	Thu 15	19.30	BBC1	BBC	6.8
3. <i>Casualty</i>	Sat 17	20.07	BBC1	BBC	7.2
4. <i>Emmerdale</i>	Tue 13	19.00	ITV	Yorkshire	4.8
5. <i>The Bill</i>	Fri 16	22.02	ITV	Thames	5.3
6. <i>The National Lottery Live</i>	Sat 17	19.51	BBC1	BBC	5.9
7. <i>Play Your Cards Right</i>	Fri 16	18.59	ITV	Talbot Fremantle	5.8
8. <i>Catherine Cookson's The Girl</i>	Fri 16	21.02	ITV	Festival/Worldwide	5.2
9. <i>Ballykissangel</i>	Sun 18	19.30	BBC1	World/BallyKiss	6.5
10. <i>Antiques Roadshow</i>	Sun 18	19.01	BBC1	BBC	6.0

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BLOCKBUSTER VIDEO OFFERS EVERY TIMES READER THE CHANCE TO TAKE OUT A FREE FILM



## See a free Blockbuster film

Today *The Times*, in association with Blockbuster Video, offers every reader the chance to take home a film from the Blockbuster Video Movie Collection for up to two nights absolutely free. All you need to do is collect three different tokens from those appearing in *The Times* until Friday and take them to any of Blockbuster's 680 branches nationwide.

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Secretarial 38

# THE TIMES

BUSINESS EDITOR Lindsay Cook

WEDNESDAY MARCH 6 1996

## MMC expected to clear power generators' bids



Wallis: PowerGen chief

By MELVYN MARCUS  
CITY EDITOR

SPECULATION is mounting in the electricity sector that the Monopolies and Mergers Commission is ready to give a qualified go-ahead for PowerGen and National Power's respective takeover bids for Midlands Electricity and Southern Electric.

Inquiries by *The Times* indicate that the MMC panel, investigating the proposed amalgams, finished taking evidence from interested parties two weeks ago. The MMC, whose chairman Graeme Odgers also chairs the investigating panel, is due to report its findings to Ian Lang, President of the Board of Trade, on March 22. Mr Lang's statement on the MMC's inquiry, accompanied by publication of the report, is expected to follow within two or three weeks.

A go-ahead for the PowerGen/Midlands and National Power/Southern takeovers would run counter to the arguments put forward to the Office of Fair Trading and the MMC by Stephen Littlechild, Director-General of Ofwat. Professor Littlechild was opposed to much of the takeover activity that engulfed the electricity sector last year and is strongly set against vertical integration between power generation companies and the regional electricity

companies (Recs) responsible for distribution. The £1.9 billion bid by PowerGen, the chief executive of which is Ed Wallis, for Midlands, and National Power's £2.8 billion bid for Southern were referred to the MMC last November. Mr Lang stated that "the decisions to make a reference do not in any way prejudice the question of whether or not either merger might operate against the public interest". He added: "In general, I do not believe that vertical integration is inherently objectionable whether in the electricity industry or elsewhere. However, in these two cases, the structural change proposed could have an effect on the development of competition."

The MMC's five-strong panel, chaired by Mr Odgers, is understood to have taken evidence from numerous parties. The four companies involved in the reference have inevitably given evidence, along with Professor Littlechild, but soundings are also understood to have been taken from the National Grid, the Major Energy Users Council, and several ReCs including Eastern, acquired for £2.5 billion by Hanson. ScottishPower's £1.1 billion takeover of Manweb brought about an amalgam of generation and distribution interests, but, unlike the PowerGen/National Power deals, was not referred. The authorities argued that ScottishPower's share of the generation market in England and Wales was relatively small.

### BUSINESS TODAY

STOCK MARKET INDICES		
FT-SE 100	3777.1	(+6.5)
Yield	3.89%	
FT-SE All share	1664.59	(+5.78)
Nikkei	20153.97	(+119.59)
New York	5591.84	(-3.31)*
Dow Jones	5591.84	(-3.31)*
S&P Composite	649.68	(-1.13)*
US RATE		
Federal Funds	5 1/4%	(5 1/4%)
Long Bond	9 1/4%	(9 1/4%)
Yield	6.40%	(6.34%)
LONDON MONEY		
3-month interbank	6 1/4%	(6 1/4%)
Life long gilt	10 1/4%	(10 1/4%)
3-month bill	10 1/4%	(10 1/4%)
STERLING		
New York	1.5298*	(1.5278)
London	1.5298*	(1.5298)
DM	2.2558	(2.2571)
FF	7.7255	(7.732)
Sfr	1.8339	(1.8370)
Yen	165.06*	(165.20)
£ index	93.8	(93.6)
Tokyo close Yen 100:¥		
London	1.4788*	(1.4780)
DM	2.2558	(2.2571)
Sfr	1.8339	(1.8370)
Yen	165.06*	(165.20)
£ index	93.8	(93.6)
Brent 15-day (May)		
London	616.86	(616.75)
London close		
£/\$	1.5298*	(1.5278)
£/DM	2.2558	(2.2571)
£/Sfr	1.8339	(1.8370)
£/Yen	165.06*	(165.20)
£ index	93.8	(93.6)

Pennington, page 27

## Tarmac raided by fraud squad

By JON ASHWORTH AND MICHAEL EVANS

TWO of Britain's biggest construction groups have been raided by detectives studying alleged financial irregularities involving the Coulport nuclear armaments depot on the Clyde.

Thirty officers from the Ministry of Defence (MoD) police fraud squad swooped on the offices of Tarmac and Matthew Hall last week and seized documents relating to contracts worth millions of pounds. They are thought to be investigating allegations that invoices for construction work may have been falsely inflated.

Matthew Hall is a wholly owned subsidiary of Amec, the UK construction and engineering group that last year fought off a hostile £360 million bid by Kvaerner, the Norwegian shipbuilder and engineer.

Tarmac is chaired by Sir John Banham, former director-general of the Confederation of British Industry (CBI), while its chief executive is Neville Simms. The company had the contract to build roads and service facilities at Coulport, which came under the Trident nuclear submarine development project.

Last year, the MoD was accused of "mismanagement on a grand scale" by the cross-party Public Accounts Committee, after construction costs on the project over-ran by £300 million.

The raids were carried out on Thursday. Tarmac issued a statement, saying it was "extremely surprised" by the MoD action, which related to outstanding claims on Coulport contracts. Confirming the raid on the offices of Tarmac Construction in Wolverhampton.



Simms: Tarmac chief

tion, the company said: "It is most unusual to find this sort of action being taken by a client with whom negotiations are progressing. We will co-operate fully if there is any investigation once we have been advised of the MoD's concerns."

The contract, which was originally estimated at £58 million, rose to well over £100 million after significant changes to the proposals by the MoD. The construction programme roughly doubled the size of the Coulport base, where Polaris and Trident missiles are assembled and stored, and which is about three miles west of the Faslane nuclear submarine base.

It is believed that the MoD has already agreed payments to Tarmac of around £108 million. But during negotiations to resolve the remaining claims, the MoD called in its police force to seize documentation. Simultaneous raids were carried out on Matthew Hall's offices in London and Glasgow. The action was co-ordinated by Detective Superintendent John Hume, head of the MoD police fraud squad, under the supervision of the Procurator Fiscal at Dumbarton.

An MoD police spokesman said: "MoD police fraud squad entered the premises of Tarmac and subcontractors at Wolverhampton, Glasgow and London and seized documentation under a search warrant in connection with allegations of financial irregularities to do with contracts for the MoD in Scotland."

The MoD police fraud squad, based at Wetherfield near Braintree in Essex, recently set up a hotline to encourage civil servants and the public to give early warning of alleged irregularities in multimillion-pound defence contracts. The MoD's CID, said that 40 per cent of the time its 100 detectives spent on investigating crimes involved fraud allegations.

The MoD is unique in having its own police force, but from April 1, when it becomes a defence agency, it will be available for the first time to other government departments if they request help.

Shares in Tarmac eased 3p to 119p and Amec lost 4p to 95p.



Chris Burgin believes that new product ranges and a deal with Disney will bring fresh growth for Bluebird Toys

## Bluebird confident despite dip

By PHILIP FANGALOS

BLUEBIRD TOYS, the toy group whose products include the highly successful Polly Pocket miniature dolls, is hoping that a deal with Disney and new toy ranges including Batman, Spiderman and Space Monkeys will fuel future growth.

The group, which last year signed a lucrative product development and marketing deal with the Walt Disney Company, saw pre-tax profits dip to £17.8 million in the year to December 31, down from £19.7 million last time, as turnover declined to £87.3 million (£99.4 million).

Chris Burgin, chief executive, blamed the drop in profits on a slide in sales of the Mighty Max monster toys as well as a disappointment from the Mini product range. Mr Burgin expects Bluebird to reap rewards from a host of new product ranges in the pipeline, including Batman and Spiderman, and last year's deal with Disney.

A final dividend of 6.75p (9p), payable on May 22, gives 9p (9p) for the year, from fully diluted earnings of 24.2p (27.5p) a share. Bluebird had net cash of £34 million and intends to use £10 million for a share buyback.

Tempus, page 28

## Storehouse to build up its foreign legion

STOREHOUSE, the Bhs to Mothercare group, has revealed plans to open stores in Hong Kong, Shanghai, Moscow, Brunei and Manila as part of an overseas expansion programme involving 50 new stores within the next 12 months (Sarah Bagnall writes).

The retailer has reached a franchise agreement with AS Watson, the retail division of Hutchison Whampoa, to develop Bhs in the Far East. The first two stores to open will be in Hong Kong and Shanghai.

The deal forms part of Storehouse's plans to expand its overseas franchise operations to more than 200 over the next 12 months. Keith Edelman, chairman, said: "By the end of next year our international business should be approaching 10 per cent of group turnover and we expect to see this proportion continuing to grow strongly."

In May, Storehouse is to open its first Bhs franchise in Moscow and its third Mothercare franchise. At the same time, the group will open its first Mothercare stores in Brunei and Manila.

## Tesco expands in Eastern Europe

By SARAH BAGNALL

TESCO, the supermarket group, has made its boldest move into Eastern Europe with the purchase of businesses in the Czech Republic and Slovakia for £77 million.

Tesco is acquiring from the Kmart Corporation almost 100 per cent of the equity of Kmart CR and Kmart SR, which together comprise 13 stores with total sales space of a million square feet.

The stores, of which six are in Hungary, generate annual sales of about £140 million, of which about two thirds are non-food. Kmart acquired the two businesses in 1992 as part of the countries' privatisation programmes.

The deal, subject to certain conditions, should be completed next month.

The acquisitions form part of Tesco's strategy of seeking opportunities for expansion in the developing markets of Central Europe. It already has a presence in Hungary and Poland through a 74 per cent stake in Global and a 96 per cent holding in Savia. In 1994, Tesco paid an estimated £20 million for the holding in Global, the Hungarian operation with 45 outlets, and last year, it paid £8 million for the stake in Savia, the Polish chain with 36 stores.

Tesco said that the latest acquisitions provided it with a good platform from which it could expand in Eastern Europe, where the food retailing market is highly fragmented. The shares advanced 2p to 280 1/2 p.

The combined population of the four countries is 64 million. The Czech Republic has a population of about 10.5 million, while Slovakia's population is about 5.3 million. Tesco said that the Czech Republic's gross domestic product is forecast to grow at more than 4 per cent this year, while Slovakia's is forecast to grow at 5 per cent.

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## Four-star look for the Great Eastern

By ALASDAIR MURRAY

THE City of London's only hotel, the Great Eastern, is to undergo a £30 million facelift after its lease yesterday to a consortium including Sir Terence Conran, the restaurateur, British Land, the property company, and Arcadian International, the hotelier.

The hotel, situated next to Liverpool Street Station, will be let by Railtrack, the present owner, on a 125-year lease for a 5 per cent share of the turnover. The redeveloped hotel, which is expect-

ed to generate between £15 million and £20 million a year in revenue, will be an "extremely good" four-star with 260 bedrooms and specialist business and conference facilities.

The restoration of the Grade II listed building, which was opened in 1894, will be conducted by British Land, which also owns the nearby Broadgate complex, and Arcadian. Arcadian will assume operating control of the hotel facilities, while the hotel's three restaurants will be managed by Conran. Work is expected to commence later

this year and is due to be finished in 1998. Sir Terence Conran will chair the design team.

The attraction for Sir Terence is the ground floor restaurant, which will provide the owner of Quaglin's and the recently opened Mezzo restaurants with a toehold in the City dining market. The hotel's former ballroom has already been franchised out to J D Wetherspoon, the pub operator.

British Land, which recently acquired the remaining 50 per cent stake in the Broadgate centre, said it hoped

the Great Eastern would form an integral part of the complex.

Robert Breare, chief executive of Arcadian, said: "The listed exterior architecture, combined with Sir Terence Conran's distinctive style for the interior, will create one of Europe's most exciting hotels."

Arcadian also revealed that it had plans to develop the Malmesbury chain in Newcastle, Manchester and Leeds. Shares in Arcadian rose 1p to 46p, while shares in British Land remained unchanged at 393p.



## Diamonds sparkling says De Beers

By COLIN CAMPBELL

THE British diamond producer De Beers is more than pleased to note, after resuming their love affair with diamonds.

Last year, retail gem diamond sales in the UK rose by 7 per cent. In France, gem sales were 11 per cent higher, in Korea sales were 10 per cent up, and America's retail gem market recorded a 7 per cent advance. It was only Canada, Taiwan and Mexico where markets were seriously lower.

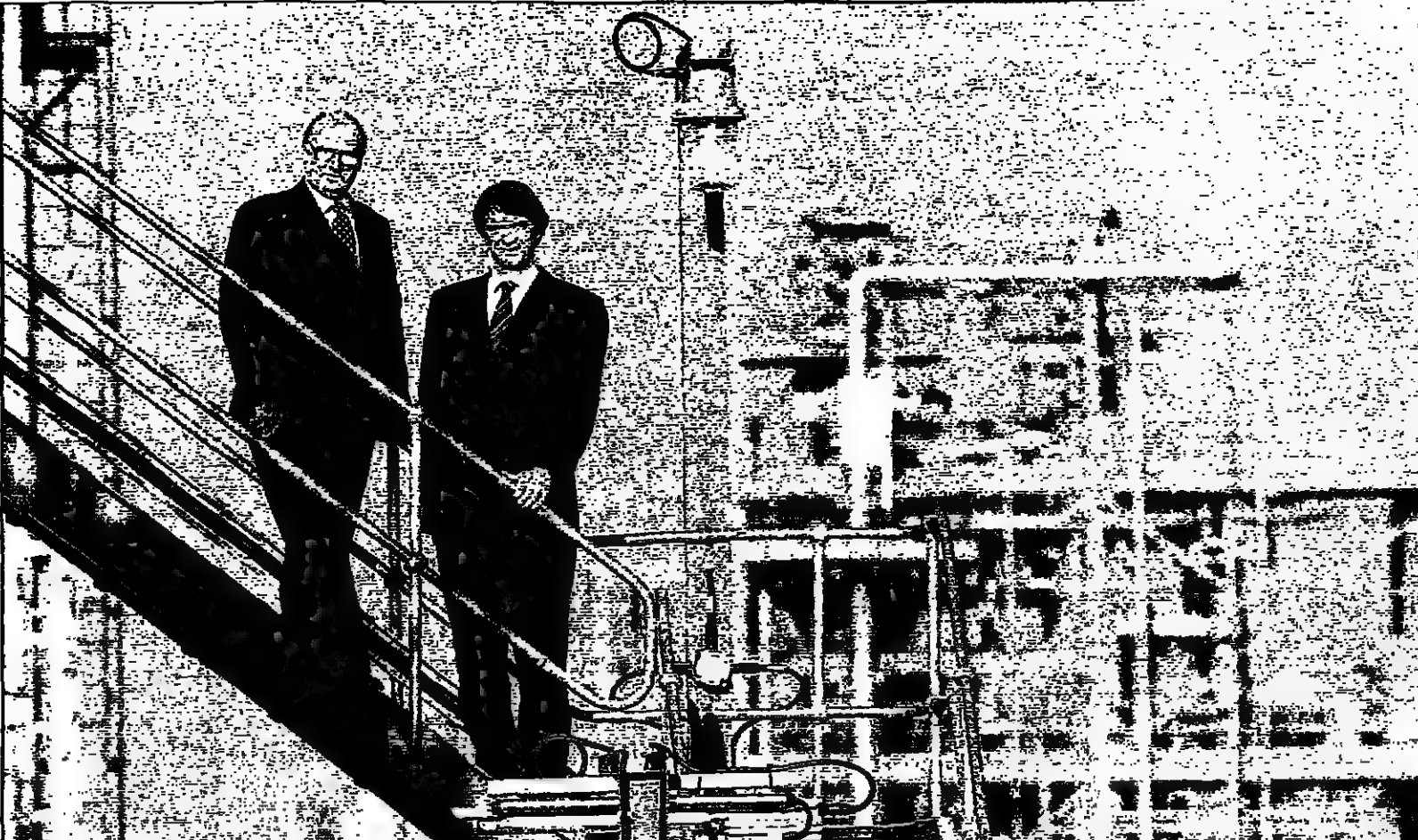
Julian Ogilvie Thompson, chairman of De Beers, admitting that 1995 had been a difficult trading market, was thus in a confident mood yesterday when announcing December 31 year end results.

De Beers' attributable earnings were 11.4 per cent higher at \$624 million, and equity accounted earnings rose by 18.4 per cent to \$96 million.

In recognition of stronger profits, De Beers' total dividend for 1995 is rising from 84.4 cents to 92.9 cents a share, covered 1.77 times.

To date, 1996 has been "so far, so good". After 18 months of difficult and tough negotiations, De Beers and Russia recently signed a new memorandum which, the Russian government hopes, will lead to a three year marketing contract being formalised before the end of March.

Nicky Oppenheimer, De Beers' deputy chairman, admitted a contingency plan had been drawn up in the event that the Russians had broken away, but he was "very happy and very pleased" that final agreement had been reached.



John Hollowood, left, and Jim Ratcliffe, managing director, take a step in the right direction at their Southampton chemical works

## Eggar turns up the heat on electricity industry

By PHILIP BASSETT, INDUSTRIAL EDITOR

THE Government will today warn Britain's electricity industry that it should avoid the mistakes of the UK's gas industry in preparing for competition and start to prepare itself now for the opening up of the domestic power market.

Electricity industry leaders will be told to "put up or shut up" on the introduction of competition in the industry and to ensure now that they have the necessary capability to take advantage of the opening of the electricity market in two years' time.

In a hard-hitting speech at a conference in London, Tim Eggar, Minister for Energy and Industry, will urge the industry to be ready for the start of full competition.

Some industry leaders will view his statement as a coded warning to Professor Stephen Littlechild, the industry's regulator, to ensure that the probably more difficult process of electricity competition runs more smoothly than the introduction of even pilot competition in the domestic gas market.

Against a background of some consumer complaint, the pilot for open domestic gas markets is finally due to start on April 29 in the test area of the South West.

Gas analysts judge the Government and the industry both to be responsible for the difficulties in introducing competition to gas. In a statement likely to prompt some scepticism, Mr Eggar is expected to tell electricity leaders that the introduction of gas competition has been a "bit rocky" than the Government thought it would be.

He will make clear the Government's hopes that the electricity industry will reflect on the lessons learnt from gas, and he will urge the industry to "get its act together" well in advance of the electricity start date.

Mr Eggar is expected to tell today's conference: "Now is the time — just do it." He will say that the industry has a responsibility to develop the systems, provide the resources and ensure it has available the experience necessary for competition.

## Inspec finds winning formula

By MARTIN BARKLEY

INSPEC GROUP enjoyed a sharp rise in profits for 1995 and said that demand for its speciality chemicals remained firm in the current year.

The company, formed through the management buyout of the speciality chemicals interests of BP and floated on the stock market in 1994, is to buy the polyimide fibres business of Lenzing AG in Austria for £5.7 million.

Inspec profits rose to £31.1 million before tax, from £13.3 million last year. This reflected the £78.2 million purchase of BP Antwerp, now renamed Inspec Belgium, which was financed through a rights issue.

The latest acquisition comprises Lenzing's P84 high performance polyimide fibres business, whose products have high temperature applications, such as fire-fighting apparel. Last year, the business earned operating profits of £300,000.

Inspec is paying a final dividend of 4p a share, which lifts the total dividend 50 per cent to 6p, from earnings of 20.68p (12.1p). The shares rose 10p to 380p, compared with the flotation price of 160p in March 1994.

John Hollowood, chairman, said: "With current demand remaining firm, we are well placed to build on the considerable success which the group has achieved."

## VSEL returns to merchant fold with £15m contract

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

VSEL, the Barrow-in-Furness warship builder, has won its first merchant ship contract for almost 25 years. The yard, owned by the General Electric Company (GEC), has been chosen to build two 4,500-tonne petrol and aviation fuel tankers by James Fisher and Sons, the quoted Barrow ship operator, under a £14.75 million contract.

Brian George, chief executive of GEC Marine, asked to quote for the order after learning of Fisher's plans to replace two of its five small

tankers. David Cobb, chairman of Fisher, said that VSEL had beaten off bids from rival yards in Europe and the United States, which were comparable on price. Cheaper offers from Far East yards were offset by the added costs of supervision and bringing the ships to European waters.

The achievement is all the more remarkable because VSEL is listed by the European Commission as a warship yard, and barred from seeking government subsidies.

The company has not built a

merchant ship since it completed the cruise liner *Odesa* in 1974. But the tankers will be relatively complex ships to build, embodying double-hulls to meet the latest Lloyd's Register requirements.

Fisher, which operates 13 ships of its own and manages six nuclear fuel and waste transporters owned by BNFL, the state reprocessing group, is quoted on a matched-basis. In 1994, it recovered from a £5.63 million loss to make a pre-tax profit of £2.28 million.

## Jobs 'no longer for life'

By MARIANNE CURPHEY

COMPETITIVE pressures and the legacy of the pensions mis-selling scandal will lead to a further 10,000 job losses in the life insurance industry over the next two years, it was claimed yesterday.

An estimated 10 per cent of the workforce may be cut, with administrative "backroom" staff worst affected, according to Standard & Poor's, the credit-rating agency. The number of sales representatives will continue to fall after having declined from 200,000 to 80,000 in the past few years.

S&P is predicting a shake-out among life companies, including a number of mergers and acquisitions. It has reduced its ratings on many insurers, including Clerical Medical, down from AA- to A plus, and Scottish Provident, from AA plus to AA-.

Rob Jones, associate director of S&P, said UK life insurers faced "a long-term downward trend in underlying financial strength because of high expenses, annual

bonus payments and the cost of compensating people who were mis-sold personal pensions." The cost of compensation is estimated at between £1 billion and £4 billion.

The market would remain tough for companies until the government specifically encouraged the public to make their own provision for long-term health care and pensions, he said. The key issues facing the life industry were the need to cut costs, invest in new technology and improve distribution.

## BT market share 'must be cut'

By ERIC REGULY

PRICES for phone services in Britain will decline at a slow rate unless British Telecom, the dominant operator, is forced to lose more market share, a telecommunications study concluded yesterday.

National Utility Services, an international research firm that examines utility prices, said that strong competition, not regulation, has proven to be the most effective way of driving down prices. It said that, paradoxically, the price controls imposed on BT by Ofcom, the telecoms regulator, are not in the consumers' best interests because they stifle competition.

NUS said: "The telecoms giant can absorb lower prices dictated by price restrictions, but its rivals, who must follow suit and drop prices in order to stay competitive, are unable to sustain the reduction in revenue as their margins become

eroded." Energis, the telecoms subsidiary of the National Grid, and the cable companies were cited as examples of telecoms services that have been unable to gain much market share because of the regulatory regime. Twelve years after privatisation, BT still controls about 90 per cent of the market.

In its latest survey, NUS found that prices in Britain for local, national and international calls continued to fall, with international prices experiencing the biggest decline. Of the 10 countries surveyed, only Canada had cheaper international rates.

Rates for local calls, however, continue to be relatively high. Britain ranked fifth in this category; France, Italy, Sweden, the US and Canada all had cheaper tariffs. In line rentals, Britain was the fourth-cheapest.

## BUSINESS ROUNDUP

### CBI backs Clarke on single currency

BUSINESS leaders gave warning yesterday that longer-term interest rates could be higher if Britain remained outside a single European currency. The acknowledgement by the Confederation of British Industry (CBI) — which will today call for a rational debate on Europe — is in line with similar views from Kenneth Clarke, the Chancellor.

Adair Turner, Director-General of the CBI, told a House of Lords committee that the UK did not have to decide whether to take part in economic and monetary union until the middle of next year. But in a carefully balanced view of the benefits and disadvantages of EMU, he said that if the UK decided not to join, financial markets might demand an interest rate premium as insurance against the risk of currency devaluation and higher inflation. He said: "I think it's a fact that if we stay outside of the single currency it's highly likely that we would have somewhat higher long-term interest rates for quite a period of time."

### Trafalgar value rise

SBC WARBURG, the merchant bank that advised Kvaerner, the Norwegian engineering group on its successful £900 million takeover of Trafalgar House, was valuing Trafalgar at less than half that price just weeks before the bid. An analyst research note distributed in early February valued Trafalgar at 21p a share in contrast to the 50p a share that Kvaerner actually paid. Warburg emphasised that the valuation was based on a forced sale or break-up situation and significantly underestimated the value of the engineering and construction businesses to a rival company like Kvaerner.

### European IT recovers

EUROPE'S information and communication technology industry is making a strong recovery from a three-year slump and, for the first time, will grow faster than its rivals in the US and Japan, a study indicated yesterday. The annual report by the European Information Technology Observatory group showed a 1995 increase in the computer and telecommunications market in Europe of 8.1 per cent to reach \$389 billion. Annual growth in the 1995-97 period is expected to top 8.7 per cent in Europe, compared with 6.5 per cent in the US and 6.1 per cent in Japan, the study indicated.

### Business failures rise

BUSINESS failures grew 11 per cent to 181 in February, against 161 in January, Deloitte & Touche, the accountant and management consultant, reported yesterday. However, Ralph Proctor, partner in charge of corporate recovery, said the figures were relatively stable compared with last year and reinforced a decreasing trend. In February last year, 176 firms went into receivership or had an administrator appointed. The largest increase in business failures was seen in the transport and communications sector, followed by hotel & catering, retailing and construction.

### Universities beat Serco

SERCO GROUP has lost out to a consortium of universities in a bid to take over the Natural Resources Institute, Sir Nicholas Bonsor, Foreign Office Minister, announced yesterday. The Government instead chose a grouping of Edinburgh and Greenwich Universities, Imperial College of Science and Technology and Wye College of London University as the preferred bidder. Serco's bid was in association with the University of Wales. The institute works primarily for Britain's foreign aid programme, helping developing countries to exploit their natural resources more efficiently.

### Six Britons arrested

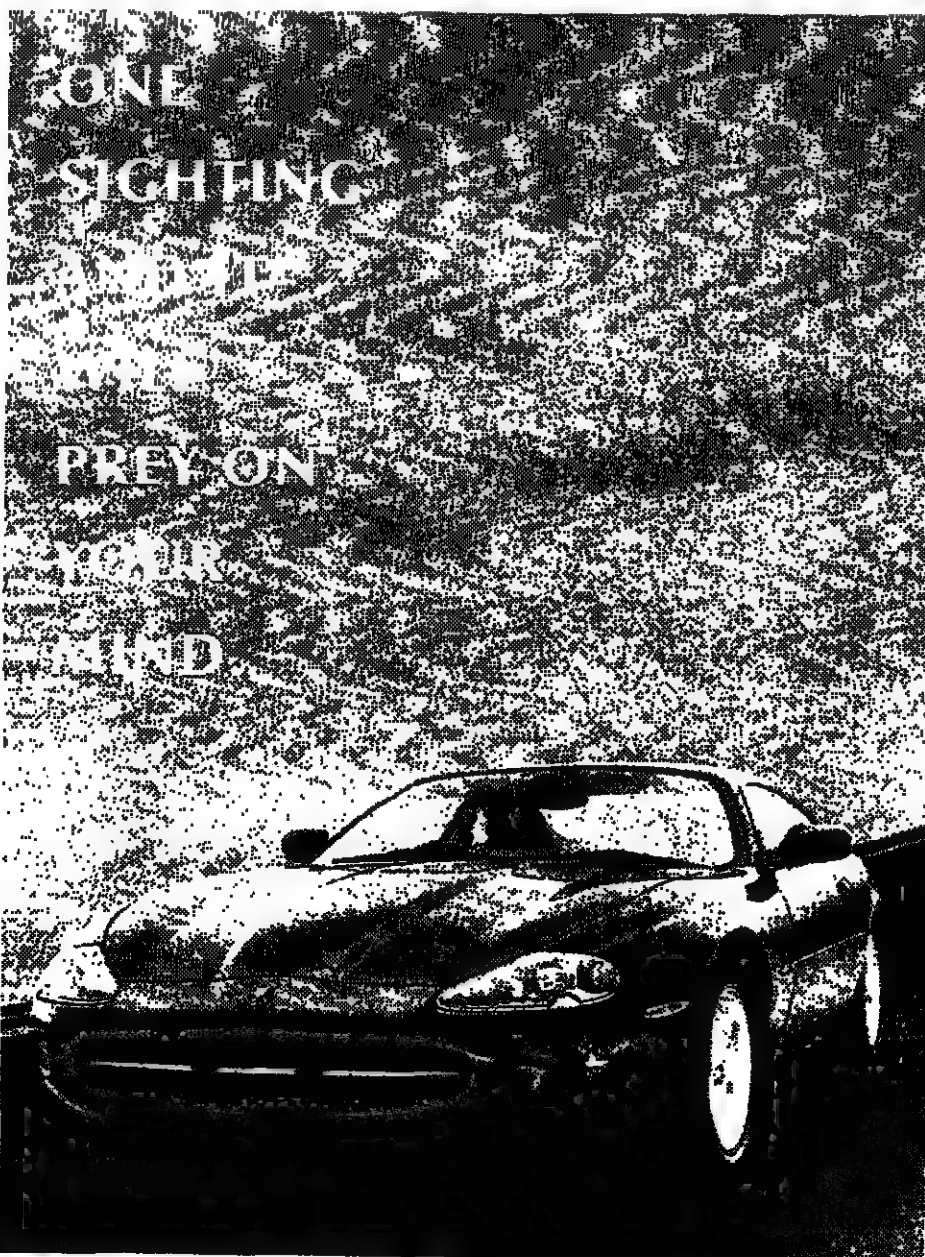
SIX British citizens were among 200 people arrested worldwide as part of Operation Green Ice, an undercover exercise to expose the illegal financial dealings of the Cali mafia family. A leading US law enforcement officer has acknowledged the help of overseas authorities, including the UK's National Criminal Intelligence Service and the Cayman Islands, in evidence to the House of Representatives. Seven of the Cali's top money managers were among those arrested, together with more than \$30 million in cash and property which was seized in a series of raids.

### Greenspan growth hope

ALAN GREENSPAN, chairman of the US Federal Reserve, yesterday said the American economy has moved closer to maximum sustainable growth, the fastest the economy can grow without increasing inflation. Many economists now put that rate at about 2.25 per cent. Mr Greenspan said: "We have made significant and fundamental gains in macroeconomic performance in recent years that enhance the prospects for maximum sustainable economic growth." He said the statistics may underestimate the growth rate because of the difficulty in measuring advances in productivity.

### Finelist interim rises

FINELIST GROUP, the distributor of replacement part vehicles with 199 outlets across the country, lifted first-half profits by 34 per cent and said it was pleased with second-half trading, despite the tough retail environment. In the six months to December 31, profits rose to £4.05 million before tax from £3.02 million last time. Turnover advanced to £52.6 million from £43.9 million. Earnings were 8.2p a share (6.6p). The interim dividend rises to 1.9p a share from 1.7p. The shares rose 7p to 277p.



At the Geneva Motor Show this week, a few lucky observers caught a glimpse of the new Jaguar XK8 for the first time. The many who couldn't be there should call 0800 70 80 60. We'll send you a unique XK8 screensaver\* and put you in line for further Jaguar information (as soon as more of them are spotted). \*Available in PC or Apple Mac format.

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Options for change at the Stock Exchange □ BA takes aim at rail link □ MMC set to demand bid conditions

## Adrift in Throgmorton Street

COMPUTERS have the eccentric logic of the village idiot. So the Stock Exchange's formal analysis of answers to its questionnaire on electronic order-driven trading systems, out this morning, could come up with almost anything.

The Exchange's consultation paper, insiders may recall, presumed it was inevitable that the dealing system defined in the 1986 Big Bang would be duplicated or abandoned. The pathetically flawed human brain noticed two *leitmotifs* in nearly nine score responses. Neither was quite what Michael Lawrence, the Exchange's short-lived chief executive, had in mind.

One was sheer amazement that the Exchange's proposals did not include the option of sticking with the system that has built London into such a strong position in stock trading. The second was disbelief that the isolated denizens of Throgmorton Street had set a timetable for fundamental reform simply to coincide with access to an electronic trading facility, which is due to be available in August. Opinions vary widely on the ultimate goal, but few understand the hurry.

Something fundamental did emerge however. There was a hectic lobbying battle between different commercial interests on the Exchange. But the market's

customers were largely unconcerned. Among fund managers, the dominant client group, apathy was rampant and ill-concealed. The issue is almost entirely an internal one, with academic regulators playing an unhelpful role from the sidelines. John Kemp-Welch, the Exchange's phlegmatic chairman, would be wise to shelve the proposals *sine die* with Mr Lawrence's name attached to them. Such damage limitation will only be worthwhile, however, if he or others conduct a fundamental rethink.

Exchange rivalries have festered in the absence of leadership. Mr Lawrence could only have been left to come up with his half-baked reform plan because the Exchange has suffered a gulping drain of confidence following its loss of status under the Financial Services Act and its loss of credibility after the fiasco over Taurus, the doomed electronic settlement system.

Rather than allow itself to be squeezed between the Office of Fair Trading, the querulous Securities and Investments Board and its own warring

factions, the Exchange's board should take a look at what is happening on Wall Street.

The New York Stock Exchange, once in a far worse pickle, has reasserted itself by a process of professional development. It has put the accent on continuous evolution, on improvement through investment and marketing, rather than on change for its own sake.

After handing power to two dynamic reforming chief executives, Exchange directors should ask why they have no faith in themselves. If they can find no good answer, they should make way for others.

### On a wing and a prayer

ROBERT AYLING, British Airways' combative chief executive, was in fine fettle yesterday. His staff were treated to a real morale-booster — "We probably have too many managers," he reflected. Now won't that do wonders for their productivity? But Mr Ayling soon got down to the real business. BA, scourge



PENNINGTON

of unprofitable, over-financed airlines across Europe, is taking aim at what it sees as a lame duck closer to home, the consortium awarded the fast rail link to the Channel Tunnel.

BA's beef is with the £1.4 billion, or whatever figure you believe, of state aid that is to fund the project. The world's favourite airline says this might contravene European competition regulations regarding state aid for transport projects.

BA has used the same route to challenge state aid to two other airlines, Air France and Iberia.

Mr Ayling must know he is trying it on, but this should not detract from the amusement value of his remarks.

London & Continental Rail-

ways is to take over the Eurostar service, currently loss-making and costing the taxpayer money, and to build the track on which this will run. To help fund this the consortium is taking unquantified but probably substantial planning gains from redeveloping St Pancras station and other assets on the route.

Eurostar could operate profitably without the track — indeed, it must first do so, if the job is to go ahead at all. The new track is to provide a swift route to the Tunnel and a better service for Kent commuters.

Brussels has already crawled all over the deal and given its blessing, not least because European Investment Bank money is involved. The EU competition policy is designed to stop governments from propping up their loss-making national carriers. It is not aimed at stopping all public sector investment in transport, whether a fast Tunnel link or a signal box on the East Coast Main Line.

BA might find this objectionable *per se*, but it is a fact of the market in which it is required to operate. Or is BA's real

problem that one Richard Branson's Virgin, bitter rival and courtroom foe, has a chunk of the consortium? Perish the thought.

### Short-circuiting a power struggle

A Monopolies and Mergers Commission decision to wave the two outstanding electricity bids through would not be a hard one to reach, given the precedent set by earlier mergers and the unanimity of view within the industry itself. Consumers can only hope the pre-conditions the MMC is likely to require are stringent enough.

The two deals are agreed, and there has been noticeably little interest from outsiders in breaking them up by mounting rival bids for Southern and Midlands. Bidder and target will have been singing from the same hymn-sheet to the Commission on this one, as will that small tranche of the industry not yet bid for. The latter have no interest in disrupting the marriages and sending share prices into reverse. The two generators, National

Power and PowerGen, are not going to balk at being required to dispose of any generating assets owned by the two regional distributors — they have, themselves, agreed the sale of 6,000 MW of their own plant. Once clearance is given, the MMC can return again if evidence of malpractice is laid before it.

The most important condition has to do with transparency, and the precedent is with the ScottishPower takeover of Manweb, which first mixed generation and distribution. The MMC required separate accounts to ensure the distributors' customers were not forced to take power at too high a price. A similar approach would cause few problems for the generators.

### Party line

SO LABOUR is to insert its own statement of policy into next month's Railtrack prospectus, to allow investors to make an informed choice. Taking charge is John Prescott — although we are assured the usual tortuous Prescott prose style will not be used, so this section should be comprehensible to investors even if the rest of the document is not. The current policy is to have Railtrack "publicly owned" but not "renationalised". Hmm. Doubtless the distinction will become clear in time.



Harry Sheridan reckons CRH can maintain its current level of investment without asking shareholders for new funds

## CRH sounds warning as profits surge 38%

By CARL MORTIMER

CRH, the Irish building materials group, said that a slowdown in mainland Europe would affect earnings in the current year. Dramatic growth in Ireland and solid gains in the US and on the Continent produced a 38 per cent profit surge to £160 million for 1995 despite the impact of flooding and cold weather in the Benelux region.

Don Godson, CRH's chief executive, said that economic prospects in Ireland remained favourable but the German market was looking weak. "It would be unrealistic to expect a continuation of the 30 per cent-plus increases of the past two excellent years," he said. "Nevertheless we anticipate a further year of progress un-

derpinned by strategic acquisitions and new investments." CRH is raising the dividend 12 per cent to 19.9p for 1995, covered 3.9 times by earnings of 1.35.55p, up 35 per cent. The company invested £125 million over the 12 months, including £129 million on acquisitions, a level of investment which Harry Sheridan, finance director, reckons can be maintained without calling on shareholders for new funds.

In the UK, CRH is rapidly expanding its Keyline builders merchants. It has acquired 26 branches, talking the chain to 100, and plans to increase the number to 200 outlets. CRH has secured a toehold in the expanding Polish market, buying 40 per cent of a cement

manufacturer with a 15 per cent market share.

The Irish construction boom continued in 1995. Fuelled by the growth in new housing and increased demand for cement, CRH's profits in its home market grew from £136.8 million to £181 million. Overall volumes were 11 per cent up on the previous year but Mr Sheridan predicted a slowing down this year. "We expect the strong markets to continue, not at the double digit rate but at the 4-5 per cent for the next few years."

Mr Godson said the end of the IRA ceasefire could set back tourist-related construction development throughout Ireland but paradoxically, he pointed out, the peace had a

negative impact in Northern Ireland due to the lack of security-related construction.

A slump in housing starts in Britain affected profits, reducing the UK contribution from £18 million to £16.9 million. On the Continent, the German construction boom began to slow in the second half while flooding affected Dutch and Belgian operations early in the year with heavy frost disrupting construction in December.

Mr Godson said he expected plenty of acquisition opportunities in the US, where profits advanced from £133 million to £158 million despite low overall construction output of 1 per cent in 1995.

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### Clothes chain sold by M&S in Canada

MARKS & SPENCER has reduced further its presence in Canada with the sale of D'Alairds Stores, a chain of 85 clothes shops, to Comark (Sarah Bagnall writes).

The disposal will result in a £25 million exceptional charge against full-year profits. Of this, £10 million relates to the write-back of goodwill previously written off, while the balance of £15 million includes the cost of write-offs and other provisions. The news came after the official stock market close, and the shares stayed at 436p.

M&S said the sale would enable its Canadian management to concentrate solely on the group's 50 M&S stores. Last year, the M&S and D'Alairds businesses notched up combined sales of £73.9 million and operating losses of £600,000.

## Scottish Television plays down talk of takeover

By ERIC REGULY

SCOTTISH TELEVISION played down speculation yesterday that the Mirror Group, which owns 20 per cent of the ITV company, will mount a takeover offer as the industry consolidates ahead of the passage of the Broadcasting Bill.

Scottish Television noted that the Bill would prevent the Mirror, which has more than 20 per cent of both the national newspaper market and the regional market in Scotland, where it publishes the *Daily Record* and the *Sunday Mail*, from controlling an ITV company. Gus Macdonald, managing director, said he thinks it unlikely that the Mirror could obtain exemptions on both restrictions.

Shares of Scottish Television, which closed up 3p to 672p, have been rising on takeover rumours. The speculation gained mo-



Macdonald: record profits

to December 31. The 1994 figure includes a £7.5 million loss on the disposal of Alternative International, its out-plant subsidiary.

Operating profits more than doubled to £18.7 million on turnover that fell 15 per cent to £100.5 million because of the disposal of Alternative, and lower drama sales. Earnings per share were 22.7p against a loss of 3.78p. The final dividend of 12.5p will bring the total dividend to 16.25p, up 15 per cent.

Scottish Television also announced that it has signed a \$10 million deal with Hallmark Entertainment, a Flex-tech shareholder, to produce six movies in Scotland this year.

The company added that it was proceeding with plans to launch a "Taran" cable channel by the end of 1996.

Temps, page 28

### Trial boost for British Biotech

By ERIC REGULY

SHARES of British Biotech gained 272p to £23.20 yesterday after the biotechnology company, the country's largest, announced that its treatment for acute pancreatitis had been approved by America's Food and Drug Administration for late-stage trials.

The treatment, called Lexipalant, has entered so-called phase 3 trials in the US, after successful phase 1 and 2 trials in Britain. The company said that the 18-month effort, if successful, would support a new drug application.

British Biotech also announced the expansion of trials on its Marimastat oral anti-cancer drug. They are expected to lead to late-stage trials by the end of this year.

The company reported a loss of £4.1 million in the quarter to January 31. It lost £5.6 million in the same period a year ago. The lower loss followed a £4 million payment from Glaxo Wellcome, which is sponsoring the development of British Biotech's arthritis drug.



Ian Rock, right, and Patrick Hooper, finance director

### European Leisure rises

A NEWLY opened chain of pool halls helped European Leisure to a 30 per cent rise in half-year profits to £2.2 million (Alasdair Murray writes).

The company welcomed proposed gaming deregulation moves which it said would improve the position further next year. In January it was forced to issue a profits warning after its Christmas takings were hit by Sunday dancing restrictions.

Overall turnover increased 14 per cent to £36.7 million. The entertainment and stook-

er division saw profits up 3.8 per cent to £3.6 million, spearheaded by the Riley's American pool lounges. Maygay, the fruit machine subsidiary, increased profits by 68 per cent to £700,000.

Ian Rock, chief executive, predicted an improved performance for the full year and said that the interest burden had been reduced. Net gearing was 91 per cent (99.5 per cent). There is no dividend but the company said dividend policy would be reviewed. Shares were static at 167p.

### TDG plans continued expansion

By PHILIP PANGALOS

TRANSPORT Development Group, the distribution and hire company, accompanied a 7 per cent rise in annual pre-exceptional profits with plans for further expansion through selective acquisitions and organic growth.

TDG, which has been undergoing widespread reorganisation in recent years, saw pre-tax profits rise to £36.1 million in the year to December 31, on turnover up 4.5 per cent to £510 million.

Martin Llowarch, chairman, said the rate of growth in the current year will depend on new business wins and strategic developments. Acquisitions are set to involve bolt-on deals, with the industrial division the most likely area for expansion.

There is a maintained final dividend of 6.5p, payable on May 3, giving an unchanged total of 9.5p for the year. Adjusted earnings rose 6 per cent to 15.8p a share. Gearing stood at 6 per cent. TDG shares added 3p to 216p.

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## THE TIMES CITY DIARY

### Perry earns Dutch honour

SIR Michael Perry, chairman of Unilever and knighted by the Queen in 1994, has now been honoured by Queen Beatrix of The Netherlands. He has been appointed a Commander in the Order of Oranje Nassau, the highest granted to non-nationals, in recognition of services to Anglo-Dutch relations in commerce and industry. The honour was presented to Sir Michael in London yesterday by the Dutch Ambassador.

### Healthy skin

THE latest money-spinner in New York for investors prepared to take a punt, who are not too squeamish, is not computers or pork bellies, but human skin. Integra LifeSciences, which launched itself on the market in January, has already shot to a 50 per cent premium after approval from the Food and Drug Administration this week for its test-tube skin. Orics, which also launched in January, but does not yet have approval, is lagging with a 20 per cent premium.

### Bankers' refuge

WHAT is the collective noun for a bunch of bankers? I suggest Caspian. In honour of the investment group set up by former Barings Securities man Christopher Heath in June 1995. The latest banker to join Caspian Securities' board is Wilfried Thalwitz, a former senior vice-president at the World Bank, who will be responsible for developing business in Eastern Europe, the former Soviet Union and the Mediterranean. It is a patch he knows well.

Thalwitz, 64 last Friday, is an economist trained in Germany who joined the World Bank in 1963. At Caspian, he will rub shoulders with Robert McNamara, President of the World Bank (1968-81), and, of course, with Rupert Pennington, former deputy governor of the Bank of England who joined Caspian as non-executive chairman last August.



Thalwitz: new job

### Capital wit

THE Labour Party's rallying cry of a "stakeholder society" has encouraged stockbroker Foster & Braithwaite to have a little fun at Tony Blair's expense. The broker is launching its own "Stakeholder" savings plan designed to appeal to anyone saving for school fees. "The savings plan has several features, but no Clause Four whatsoever. This is caring capitalism." F&B Investments' managing director Malcolm Murray says in his best deep blue voice.

### Rock'n'hold

ALTHOUGH Independent Insurance spent £100,000 last spring sponsoring the Royal Philharmonic Orchestra, the company's chief executive Michael Bright has let slip that he is something of a rocker. As Independent reported year-end results yesterday, telephone callers on hold were treated to Rod Stewart's anthem, *Maggie May*. "The girls on the desk chose Rod," Bright explained. "I'd rather we played Status Quo — it brings back memories of days gone by," the fifty-something rocker says.

COLIN CAMPBELL



Boeing has stayed ahead of the game by using profits from its lucrative 747 to cross-subsidise aircraft that compete with Airbus products

## Can East champion Airbus cause in jumbo dogfight?

Ross Tieman on a vision that aims to keep Europe's aircraft in the skies

Blessed and blighted by its share of dreamers, Europe's aircraft industry needs a new vision to save it from creeping oblivion. Thirty years ago, a Franco-German inspiration, Airbus Industrie, rescued the industry from the successive commercial failures of the British Comet, Trident, VC10 and BAC-111 airliners, the French Caravelle and the Anglo-French Concorde. Belatedly joined by the British, and in a small way by Spanish interests, Airbus has successfully challenged American dominance of the civil jet market, selling more than 1,300 planes to 130 operators worldwide.

But the vision of limited collaboration by Europe's national champions is no longer adequate to the new world order of the 1990s. Boeing, the world's airliner champion, has responded with a cutting drive and aggressive marketing that is winning the company the lion's share of new orders.

An enormous market is emerging in Asia, where air travel is soaring at up to 10 per cent a year, twice the rate in the West. Governments in China, India, Korea and Singapore are anxious to develop indigenous aircraft industries, both to enhance the technological capability of their economies, and ease the balance of payments burden imposed by ordering aircraft overseas.

Asian aerospace companies, having cut their engineering teeth on fighter planes built under licence, are now keen to turn their capacity and low-cost base to commercial advantage.

The Asian market, money and ambitions offer a way out of the excruciating double bind in which Airbus, and its parent companies, are now gripped.

For Boeing's new-found ability to undercut them in the market place is but a symptom of troubles closer to home. After the Second World War, half of Europe had an over-large arms industry, and the other half had heaps of rubble. But as East-West tension mounted, every nation concluded that it needed to be able to build aircraft for its own defence. But the electronic revolution of the 1980s turned an aircraft into a mere platform for systems that account for up to four fifths of its cost. Costs, both in development and production, reached

the stratosphere. European nations can no longer afford to develop military planes alone.

Even in America, with an arms market to match those of Europe combined, the arms trade has seen a series of mega-mergers to achieve the economies of scale now required in a post-Cold War era of standstill defence spending. In 1997, American spending on defence is now planned to be the lowest, as a proportion of national product, since 1938. If Europe is to match the step-change in costs and competitiveness achieved by the Americans, its aerospace industry must consolidate, fast. The British and Germans have

known it for several years. Now the French are finally facing up to reality. Over the next two years, Europe's planemakers will be reeling from corporate airfield to corporate airfield in a series of courtship rituals. Dick Evans, British Aerospace's chief executive, already has Jürgen Schrempp, the Daimler-Benz chairman, flying wing-man in subtle merger manoeuvres. Their challenge is to teach the same hard-learned commercial tricks to the French industry champions, Aérospatiale, in civil aircraft, and Dassault, in warplanes, and then tag on Saab of Sweden, Alenia of Italy and Casa of Spain to the formation.

Quite how the new Euro-structures, in either jetliners or warplanes, will look cannot yet be discerned. But the vision of what they are seeking to achieve is at last becoming clear. Airbus is a curious animal, a partnership between Aérospatiale and Daimler-Benz, each with 37.9 per cent; BAE, with 20 per cent; and Casa, with 4.2 per cent. Structured as a *Groupement d'Intérêt Économique*, it accrues no profits or losses, but divides

returns and shortfalls among the partners, who are responsible for borrowings. When it comes to allocating work, the partners bid against one another in a curious "club of liars". To maximise its share of Airbus profits, a partner must get the biggest possible margin on the components and structures it supplies, without being undercut by another partner when bids are invited for the work.

The effect is to peg Airbus costs to those of the least cost-effective partners, Aérospatiale and Casa, and saddle its salesmen with higher than necessary prices in their campaigns. Somehow, a way must be found to bring the manufacturing plants owned by BAE and its partners under the control of Airbus. BAE is keen to transfer its assets, provided the others first carry the costs of making their plants competitive.

The changing international environment makes structural reform urgent. But Airbus has another problem. In many sales competitions, Boeing uses profits on its one product that still enjoys a market monopoly, the Jumbo 747, to cross-subsidise aircraft that compete with Airbus products. Result: victory.

The Airbus partners therefore face three crucial challenges: they must create a structure that drives down production costs; develop and sell a new mega-jumbo, the 500-seat to 800-seat A3XX, that will allow them to compete with Boeing across its full product range; and accommodate the ambitions of Asian governments and industrialists.

Ironically, Asian aerospace ambitions offer a partial solution to the problem of finding \$8 billion to \$12 billion to develop the A3XX. Richard Lapthorne, BAE's finance director, believes that Asian

readiness to accept low or deferred returns to gain industry entry, combined with low-interest launch aid from European governments and a balance of market-rate money could make the cost of financing A3XX commercially viable.

The first fruit of this cocktail is likely to be a regional jet. Orchestrated by Peking, aerospace companies in China, Korea, Singapore and India are seeking western partners to build a new 100-seat jet, the Asian Express 100.

The front-runner for this deal is Aero International Regional, a marketing and after-sales joint venture owned equally by BAE, Aérospatiale and Alenia. This project has to be brought into an alliance with Airbus, so that the plane becomes in effect the smallest in the Airbus range. To succeed in the market, airlines must be confident that the new plane is of Airbus quality, and benefits from the Airbus after-sales network. Ideally, it must share a common system of controls with the Airbus A320 series, and their larger brethren, the A330/A340.

This will not be easy. AIR is a first step to integrated management and manufacture of the Avro regional jet range built by BAE, together with BAE's jetstream turboprop operations and ATR, a turboprop manufacturing joint venture owned by Aérospatiale and Alenia. Daimler, which pulled the plug on its own Dutch regional subsidiary, Fokker, must also be brought on board.

The A3E100 will be a twin-jet successor to the Avro. China is adamant that final assembly must take place in its own factories. Since final assembly accounts for only 5 per cent of cost, the Europeans have no objections in principle, although a European assembly line may be needed to give buyers sufficient confidence in the quality of the product.

At the same time, AIR must quit the manufacture of turboprops, a low-cost, over-competitive sector whose products are being supplanted by jets.

So there is the vision. Airbus restructured, with two new planes to fill the gaps at the bottom and the top of its product range. Airbus tied in with Asian partners to provide market access, cheap finance, and low-cost manufacturing plants. Airbus off the ropes, and at the throat of Boeing.



ANTHONY HARRIS

## A bull steer from Canada's great veteran bear

They must have been listening in Wall Street. Bears from all over gathered in London yesterday to hear about the future — the coming Wall Street crash, that is — from their house journal, *Bank Credit Analyst*. *BCA* has traditionally read like a Canadian book of the Apocalypse, redone as a part-work. Early warnings about thin financial ice, or the debt trap, or about speculative climaxes (maximum opportunity, maximum risk) were its core message. "Early", it is true, was itself a warning; *BCA* readers needed strong nerves while they waited for the inevitable. But if you were patient, the danger signals were reliable.

Imagine the surprise of the faithful, then, when they heard a message which would form a useful text for any high-pressure equity salesman. European fund managers, notoriously short of Wall Street, were roundly denounced: what they failed to understand was that the great bull run is well founded in the new US miracle.

The US is a fiscal model, with stable debt and a deficit which makes the Maastricht criteria look permissive. Its economy is dynamic, inventive, flexible, supported by strong investment, and growing faster than the figures show. Profits have consistently beaten even bullish forecasts, but, in terms of GDP, are still far below their 1960s highs; earnings growth may slow, but could go on outpacing the real economy for years.

Onward and upward, then: but this was still a *BCA* meeting. Yes, there will be a crash — or more probably, a crashette. The economic picture may be sound, but the financial ice is thin. The valuation and speculation indices (only *BCA* claims to be able to calculate such indices, and chart them) have strayed into overvalued and highly speculative territory, but not very far yet. A correction is due, but probably from higher values, and triggered by strong growth, implying rising interest rates.

And it will be limited. The private investor will ensure that the most fascinating chart showed personal holdings almost uncannily related to age and the demographic push goes right on into the 21st century. The *BCA* endorsement of this column's endless stress on the importance of demographics in asset markets is worth an article in itself. European fund managers will surely wake up some time. If they do not treat the correction as a chance to reboard the bus they have so spectacularly missed, then the insults they heard yesterday were too mild.

The fund managers got off quite lightly compared with Europe's political leaders. It was instructive to listen to the sheer contempt which their aims and policies now inspire in New York and Toronto. They appeared as obsessed reactionaries, trying to preserve the economic past in aspic, while they struggle to create a union of stagnation. If the view of Morgan Stanley and *BCA* are representative, the decoupling of the European bourses from the Wall Street boom explains itself. US investment managers are now showing some renewed interest in other markets, but they are not European markets, or likely to be.

It is the emerging markets which are due to reappear (though not those of the old Warsaw Pact countries, seen as trapped between Eurostatism and Russian chaos). Mexico is already old news in stock-market terms but its economic revival is not just a matter for investors. It will, on *BCA* numbers, add up to a full point to US growth, and go far to correct the US trade deficit. This leads to the final surprise: *BCA* is a bull not only of equities, but of the dollar. Possible targets: 1.40 against the yen, 1.70 against the mark — enough to revive Japanese profits, but not to revive European competitiveness.

All this from the Great Bear? It is hard to believe, and two doubts nag: it was all economics, with hardly a word so far about finance, home territory for *BCA*. And the final *BCA* speaker sounded like a bear, not a bull. They even growl their own contrarians. Take your pick.

### Michael Steinberger on Hong Kong's fiscal prudence

## Few handouts before handover

Hong Kong moves a step closer to Chinese rule today when Donald Tsang, the Financial Secretary, unveils the colony's 1996-97 budget, its last under British administration. Mr Tsang will recommend a sizeable increase in spending on welfare and education, but is otherwise expected to abide by the conservative principles that have long guided government policymakers. With the handover just 16 months away, the Financial Secretary has good reason to play it safe. "He hasn't got much room to manoeuvre," says Ian Perkin, economist for the Hong Kong General Chamber of Commerce. "If he were looking for a title, 'Much Ado About Nothing' would be appropriate."

But Mr Tsang's caution is unlikely to win much praise. Legislators are threatening to veto the package if it fails to provide what they consider adequate assistance for the elderly and the poor. They are also demanding more spending to stimulate the economy and to halt the outflow of manufacturing jobs.

China, which thinks the colony already devotes too much money to welfare, is bound to find fault with even the most timid proposals. Reaction to the budget will underscore the profound divi-



Chris Patten, accused of infecting Hong Kong with 'the virus of British welfarism'

sions blocking agreement on a blueprint for the colony's economic development. Though Peking hopes to inherit an economic powerhouse unencumbered by social concerns, there is an emerging consensus in Hong Kong that the Government must do more to help those unable to cope with the colony's rather unforgiving brand of capitalism.

Despite the Chinese criticism, the colonial administration will leave office next year with its reputation for fiscal rectitude largely intact. Public assistance has increased over 70 per cent since the early 1990s, but the growth started from a very low base and was initiated in response to problems that even the business community agreed required attention. Moreover, the Government has kept its spending in line with the rate of economic expansion. The public sector still accounts for less than 20 per cent of Hong Kong's gross

domestic product and the colony's tax burden remains light. Some critics believe the administration has managed Hong Kong's money too well: years of budget surpluses have lined the colony's coffers with nearly \$20 billion in fiscal reserves. This year's budget is also expected to be in the black. Though little more than \$3 billion is earmarked for the post-1997 government, the entire surplus will likely be handed over, together with

\$39 billion in foreign exchange reserves and another \$11 billion from the sale of public land. Chris Patten, Hong Kong's Governor, calls it "the biggest dowry since Cleopatra."

The enormous amount of money being set aside has so far failed to reassure Peking that Britain will not strip the cupboard bare before leaving. Similarly, Mr Patten was accused of infecting Hong Kong with "the virus of British welfarism" after proposing a pay-as-you-go pension scheme for the colony two years ago.

Members of Hong Kong's Legislative Council will no longer stay reticent. Once willing to defer to the executive branch on many fiscal matters, the legislature has become far more assertive since elections last September when, for the first time, all 60 representatives were elected.

Advocacy groups, armed with statistics showing that the gap between rich and poor is widening, have increased the populist ferment, which reached fever pitch last month following a cold spell that was blamed for the deaths of more than 100 senior citizens.

With or without the Legislative Council, the debate over economic priorities and the role of government in Hong Kong will be on the agenda long after Britain has left.



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## Shares close below day's lows

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1995E	1996E	1997E	1998E	1999E	2000E	2001E	2002E	2003E	2004E	2005E	2006E	2007E	2008E	2009E	2010E	2011E	2012E	2013E	2014E	2015E	2016E	2017E	2018E	2019E	2020E	2021E	2022E	2023E	2024E	2025E	2026E	2027E	2028E	2029E	2030E	2031E	2032E	2033E	2034E	2035E	2036E	2037E	2038E	2039E	2040E	2041E	2042E	2043E	2044E	2045E	2046E	2047E	2048E	2049E	2050E	2051E	2052E	2053E	2054E	2055E	2056E	2057E	2058E	2059E	2060E	2061E	2062E	2063E	2064E	2065E	2066E	2067E	2068E	2069E	2070E	2071E	2072E	2073E	2074E	2075E	2076E	2077E	2078E	2079E	2080E	2081E	2082E	2083E	2084E	2085E	2086E	2087E	2088E	2089E	2090E	2091E	2092E	2093E	2094E	2095E	2096E	2097E	2098E	2099E	2100E	2101E	2102E	2103E	2104E	2105E	2106E	2107E	2108E	2109E	2110E	2111E	2112E	2113E	2114E	2115E	2116E	2117E	2118E	2119E	2120E	2121E	2122E	2123E	2124E	2125E	2126E	2127E	2128E	2129E	2130E	2131E	2132E	2133E	2134E	2135E	2136E	2137E	2138E	2139E	2140E	2141E	2142E	2143E	2144E	2145E	2146E	2147E	2148E	2149E	2150E	2151E	2152E	2153E	2154E	2155E	2156E	2157E	2158E	2159E	2160E	2161E	2162E	2163E	2164E	2165E	2166E	2167E	2168E	2169E	2170E	2171E	2172E	2173E	2174E	2175E	2176E	2177E	2178E	2179E	2180E	2181E	2182E	2183E	2184E	2185E	2186E	2187E	2188E	2189E	2190E	2191E	2192E	2193E	2194E	2195E	2196E	2197E	2198E	2199E	2200E	2201E	2202E	2203E	2204E	2205E	2206E	2207E	2208E	2209E	2210E	2211E	2212E	2213E	2214E	2215E	2216E	2217E	2218E	2219E	2220E	2221E	2222E	2223E	2224E	2225E	2226E	2227E	2228E	2229E	2230E	2231E	2232E	2233E	2234E	2235E	2236E	2237E	2238E	2239E	2240E	2241E	2242E	2243E	2244E	2245E	2246E	2247E	2248E	2249E	2250E	2251E	2252E	2253E	2254E	2255E	2256E	2257E	2258E	2259E	2260E	2261E	2262E	2263E	2264E	2265E	2266E	2267E	2268E	2269E	2270E	2271E	2272E	2273E	2274E	2275E	2276E	2277E	2278E	2279E	2280E	2281E	2282E	2283E	2284E	2285E	2286E	2287E	2288E	2289E	2290E	2291E	2292E	2293E	2294E	2295E	2296E	2297E	2298E	2299E	2300E	2301E	2302E	2303E	2304E	2305E	2306E	2307E	2308E	2309E	2310E	2311E	2312E	2313E	2314E	2315E	2316E	2317E	2318E	2319E	2320E	2321E	2322E	2323E	2324E	2325E	2326E	2327E	2328E	2329E	2330E	2331E	2332E	2333E	2334E	2335E	2336E	2337E	2338E	2339E	2340E	2341E	2342E	2343E	2344E	2345E	2346E	2347E	2348E	2349E	2350E	2351E	2352E	2353E	2354E	2355E	2356E	2357E	2358E	2359E	2360E	2361E	2362E	2363E	2364E	2365E	2366E	2367E	2368E	2369E	2370E	2371E	2372E	2373E	2374E	2375E	2376E	2377E	2378E	2379E	2380E	2381E	2382E	2383E	2384E	2385E	2386E	2387E	2388E	2389E	2390E	2391E	2392E	2393E	2394E	2395E	2396E	2397E	2398E	2399E	2400E	2401E	2402E	2403E	2404E	2405E	2406E	2407E	2408E	2409E	2410E	2411E	2412E	2413E	2414E	2415E	2416E	2417E	2418E	2419E	2420E	2421E	2422E	2423E	2424E	2425E	2426E	2427E	2428E	2429E	2430E	2431E	2432E	2433E	2434E	2435E	2436E	2437E	2438E	2439E	2440E	2441E	2442E	2443E	2444E	2445E	2446E	2447E	2448E	2449E	2450E	2451E	2452E	2453E	2454E	2455E	2456E	2457E	2458E	2459E	2460E	2461E	2462E	2463E	2464E	2465E	2466E	2467E	2468E	2469E	2470E	2471E	2472E	2473E	2474E	2475E	2476E	2477E	2478E	2479E	2480E	2481E	2482E	2483E	2484E	2485E	2486E	2487E	2488E	2489E	2490E	2491E	2492E	2493E	2494E	2495E	2496E	2497E	2498E	2499E	2500E	2501E	2502E	2503E	2504E	2505E	2506E	2507E	2508E	2509E	2510E	2511E	2512E	2513E	2514E	2515E	2516E	2517E	2518E	2519E	2520E	2521E	2522E	2523E	2524E	2525E	2526E	2527E	2528E	2529E	2530E	2531E	2532E	2533E	2534E	2535E	2536E	2537E	2538E	2539E	2540E	2541E	2542E	2543E	2544E	2545E	2546E	2547E	2548E	2549E	2550E	2551E	2552E	2553E	2554E	2555E	2556E	2557E	2558E	2559E	2560E	2561E	2562E	2563E	2564E	2565E	2566E	2567E	2568E	2569E	2570E	2571E	2572E	2573E	2574E	2575E	2576E	2577E	2578E	2579E	2580E	2581E	2582E	2583E	2584E	2585E	2586E	2587E	2588E	2589E	2590E	2591E	2592E	2593E	2594E	2595E	2596E	2597E	2598E	2599E	2600E	2601E	2602E	2603E	2604E	2605E	2606E	2607E	2608E	2609E	2610E	2611E	2612E	2613E	2614E	2615E	2616E	2617E	2618E	2619E	2620E	2621E	2622E	2623E	2624E	2625E	2626E	2627E	2628E	2629E	2630E	2631E	2632E	2633E	2634E	2635E	2636E	2637E	2638E	2639E	2640E	2641E	2642E	2643E	2644E	2645E	2646E	2647E	2648E	2649E	2650E	2651E	2652E	2653E	2654E	2655E	2656E	2657E	2658E	2659E	2660E	2661E	2662E	2663E	2664E	2665E	2666E	2667E	2668E	2669E	2670E	2671E	2672E	2673E	2674E	2675E	2676E	2677E	2678E	2679E	2680E	2681E	2682E	2683E	2684E	2685E	2686E	2687E	2688E	2689E	2690E	2691E	2692E	2693E	2694E	2695E	2696E	2697E	2698E	2699E	2700E	2701E	2702E	2703E	2704E	2705E	2706E	2707E	2708E	2709E	2710E	2711E	2712E	2713E	2714E	2715E	2716E	2717E	2718E	2719E	2720E	2721E	2722E	2723E	2724E	2725E	2726E	2727E	2728E	2729E	2730E	2731E	2732E	2733E	2734E	2735E	2736E	2737E	2738E	2739E	2740E	2741E	2742E	2743E	2744E	2745E	2746E	2747E	2748E	2749E	2750E	2751E	2752E	2753E	2754E	2755E	2756E	2757E	2758E	2759E	2760E	2761E	2762E	2763E	2764E	2765E	2766E	2767E	2768E	2769E	2770E	2771E	2772E	2773E	2774E	2775E	2776E	2777E	2778E	2779E	2780E	2781E	2782E	2783E	2784E	2785E	2786E	2787E	2788E	2789E	2790E	2791E	2792E	2793E	2794E	2795E	2796E	2797E	2798E	2799E	2800E	2801E	2802E	2803E	2804E	2805E	2806E	2807E	2808E	2809E	2810E	2811E	2812E	2813E	2814E	2815E	2816E	2817E	2818E	2819E	2820E	2821E	2822E	2823E	2824E	2825E	2826E	2827E	28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# Independent steels itself for bitter battle of insurers

By MARIANNE CURPHEY

BRITISH insurers are locked in a cut-throat battle for market share which could result in small or medium-sized companies withdrawing hurt or being swallowed up. Independent Insurance said yesterday.

Michael Bright, chief executive of the small, quoted company, accused rivals of "irresponsible behaviour" in cutting rates and, as a consequence, profits in the coming months. He hinted that Independent would be keen to make an acquisition at the right price.

"Some insurers, including a number of composites, are writing business at below cost price," he said. "We believe that some operators will be forced to withdraw from the market and, therefore, we will look to take advantage of this to consolidate our position when the upturn comes. We have the resources, broker connections and capacity in place to do so."

Independent's share price

rose 39p to 470p yesterday after the company reported its ninth successive year of profitable growth with pre-tax profits up 70 per cent to a record £35.5 million in the year to December 31 (£20.9 million). Gross written premiums grew 39 per cent to £411 million (£295 million).

Mr Bright's comments follow General Accident's announcement last month that it would be raising personal motor insurance premiums by an average 4 per cent. Other motor insurers have confirmed that premiums are likely to stabilise or even rise slightly. Mr Bright, however, claimed motor rates might carry on falling until the autumn.

Independent acquired La Palatine, the French insurer, last December, and Mr Bright said he intended to "take some time to digest it" before making a further acquisition. He added: "However, if the right company came along, we

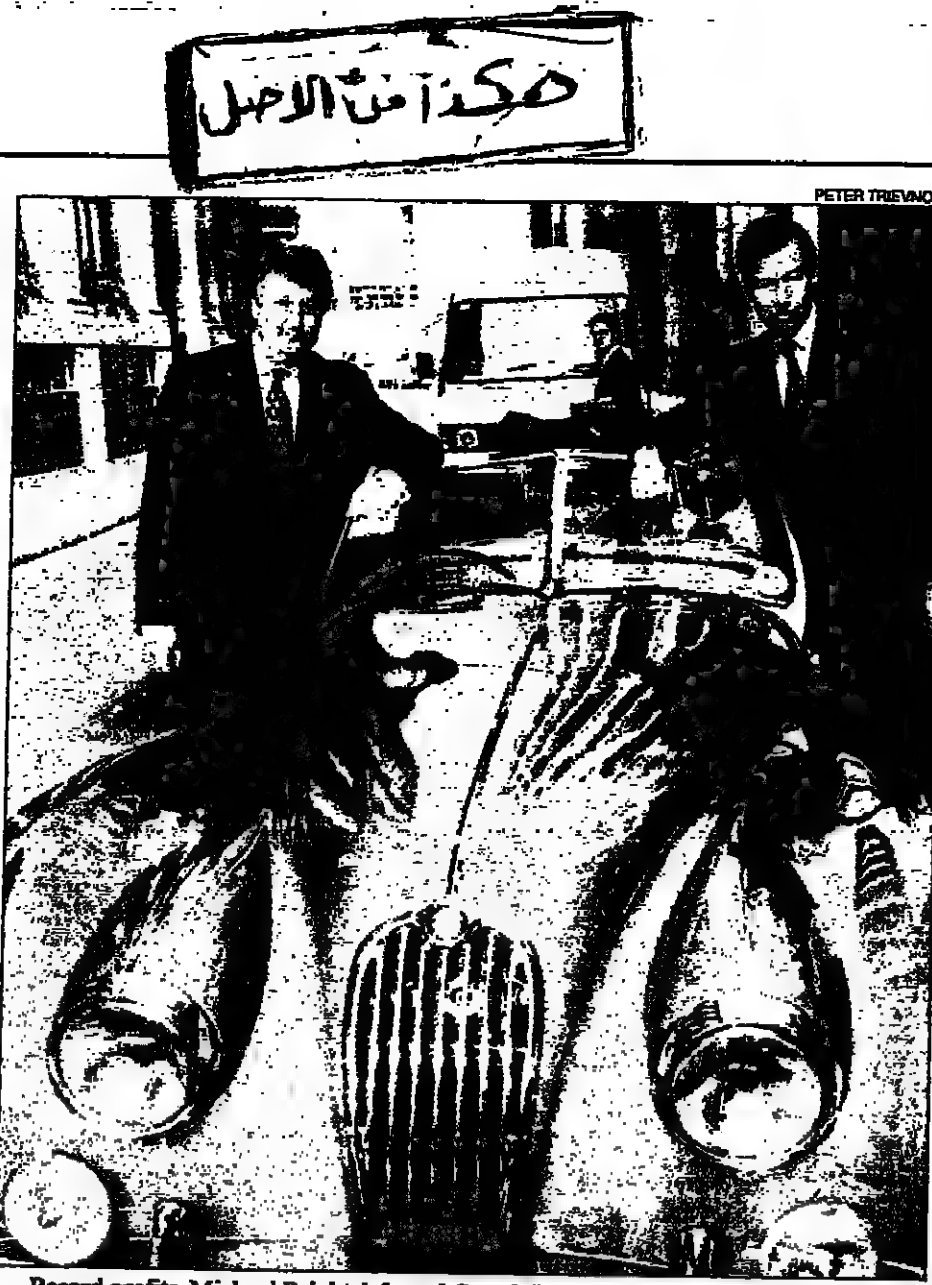
would bid for it. We have a strong enough balance sheet to be able to buy another company."

In 1994, Independent gained a significant foothold in the London marine and protection indemnity markets through the purchase of the general insurance business of Aegon, the Dutch insurer.

Independent, which floated in 1993 at 225p per share, succeeded in a difficult market last year by carrying out frequent surveys of the commercial property it covers to ensure safety procedures are properly followed.

A final net dividend of 6.65p per share will be paid, making 11.25p for the year (9.5p).

General Accident announced yesterday that it will provide services to property and casualty clients of Trygg-Hansa, the international Swedish insurer, in Europe, North America, the Middle and Far East and the Pacific Basin.



Record profits: Michael Bright, left, and Gareth Ramsey of Independent Insurance

## BSM advances as the number of pupils grows

By ALASDAIR MURRAY

BSM, the driving tuition company, motored to a 10.6 per cent increase in half-year profits to £5.4 million.

The company said that the number of pupils had increased ahead of the launch of the Government's theory test in July. While the group expects demand to return to normal levels after the summer, it is confident that its new theory-test training products will help to further boost its market share.

Paul Massey, chief executive, said that BSM was ready to take advantage of the theory test and had prepared literature in association with Virgin Publishing to be distributed through the BSM network of offices and retail outlets.

The British learner driver market has grown steadily over the past ten years mainly due to the increase in the number of second cars on the road. There were around 875,000 learner drivers on Britain's roads last year.

BSM said that after a slow summer, the numbers picked up dramatically in the autumn

quarter and were 20 per cent ahead of 1994. BSM said its gross margin had stabilised at around 21 per cent after slipping back earlier in the half year. The company operates off a relatively fixed cost base and said its margins improved with the influx of drivers in the autumn onwards.

Overall turnover increased 5 per cent to £24 million. The profit advance came despite no increase in the franchise fees paid by BSM instructors but benefited from a one-off £175,000 release of a pension fund provision.

The BSM network expanded, with nine new branches opened, taking the total to 148 across the country. The company expects to open a further six this year. The average number of instructors also increased by 65 to 2,181. BSM leads the UK driving tuition market with 16 per cent.

BSM said it had 180 clients for its advanced driving courses for corporate instructors. The dividend rose 7 per cent to 6.9p, payable on May 8. Shares closed up 6p at 176p.

## Hiscox agrees £35.5m purchase

Hiscox Dedicated Insurance Fund has agreed to acquire Economic Insurance Holdings for £35.5 million, the first acquisition of a DIT-approved insurance company by a Lloyd's group.

Separately, the company is to acquire the balance of 75 per cent of the Hiscox Lloyd's managing agency it does not already own.

The combined group had gross premium income of £525 million in 1995 - £450 million through Hiscox at Lloyd's and £75 million through Economic Insurance.

## Highway stake

Welsh Water, the privatised utility, has made an equity investment in the concession to design, build, finance and operate the Melbourne City Urban highway in Australia. The project is a 22km eight-lane highway through Melbourne. Welsh Water has a stake of A\$30 million (£14.9 million) in the project or 6.6 per cent of the equity.

## WSP advances

WSP Group, the consulting engineering company, increased pre-tax profits to £1.8 million (£1.2 million) in 1995. Earnings were 4.7p (3.8p) a share. The total dividend is lifted to 2.2p (2p) a share, with a final 1.1p (1p) due May 7.

## Lynx expands

Lynx Holdings, the UK software company, is to acquire Tesoft, the largest provider of software and systems to the Spanish automotive distribution industry, for an initial £6.44 million. Tesoft, which employs 150 people, works with motor distributors and dealers in Spain. In 1995 its pre-tax profits were £618,000 on turnover of £5.86 million.

## Pendragon profits beat slow market

By PHILIP PANGALOS

STRONG advances at the luxury end of the new car market offset a gloomier trend elsewhere in a battered automotive sector and helped Pendragon to increase its full-year profits by 18 per cent.

Past strategic moves to focus on the luxury end helped the motor distributor to lift pre-tax profits to £11.3 million in the year to December 31, up from £9.62 million last time.

Turnover, boosted by acquisition and new dealerships, advanced 30.9 per cent to £508.9 million. Trevor Finn, chief executive, said all areas of the group's business saw improved results, though the core luxury brands continued to increase market share. Pendragon had dealerships at 51 locations, involving 79 franchises. The number of locations is expected to expand to nearer 60 this year.

Pendragon, whose dealerships include BMW, Jaguar, Land Rover and Mercedes-Benz, enjoyed a 32 per cent gain in new registrations last year for the luxury, four-wheel drive and sports car sectors, at a time when overall UK new car registrations grew by a pedestrian 1.8 per cent.

Pendragon's gross profits from new car sales jumped 32 per cent to £21.6 million, while profits from used cars surged 68 per cent to £7.23 million. Profits from after-sales rose 14 per cent to £28.7 million and contract hire by 41 per cent to £5.58 million.

Mr Finn is optimistic, citing the Aston Martin, Harley-Davidson and Fiat and Alfa Romeo dealerships.

There is a final dividend of 6p (5.4p), payable on April 11, giving 9p (8.1p) for the year, from earnings up 14 per cent to 19.7p (17.3p) a share.

£2m charge covers VIP jet

## Hunting makes Fokker provision

By GEORGE SIVELL

HUNTING, the aviation and defence group, has been hit by the collapse of Fokker, the beleaguered Dutch aircraft maker that has been fighting for survival since Daimler Benz, its German parent, cut a cash lifeline on January 22.

Fokker was forced to seek protection from its creditors a day later leaving Hunting saying yesterday that it is to make an "appropriate provision" in its 1995 accounts against debt due by Fokker of £2 million.

However, Hunting said any reduction in work from Fokker will not damage future prospects for Hunting's aviation division. Most of the amount owing relates to the supply of a VIP interior for a Fokker 70 aircraft which was carried out during 1995 and invoiced in December.

Meanwhile, Fokker is to receive an additional bank loan of ten million guilders (£4 million), the Dutch Government said. The money will be provided by ABN Amro and

Nationale Investeringbank, Hans Wijers, Economic Affairs Minister, said in a letter to the Dutch Parliament.

The Government said that the additional ten million guilders had been granted under the terms of the original credit agreement.

On March 1, Fokker won a two-week extension to a crucial 255 million guilder credit facility to keep it alive until March 15 while it carries out a search for a rescuer for its ailing business.

Because Fokker received income from aircraft deliveries, it had reduced the credit facility to 200 million guilders by March 1. The new loan raises this amount to 210 million guilders, of which 155 million guilders is guaranteed by the Dutch State.

The 76-year-old company has pinned its hopes on a takeover by a rival, such as Samsung Aerospace, of South Korea, or by winning financial backing for a new, slimmed-down Fokker which would remain in business on its own.

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## ■ FILM

Oscar time again: will an Italian art movie edge out *Apollo 13* for Best Film?



## ■ THEATRE 1

A customs-busting yarn from Cornwall launches a season of regional companies at the Donmar

## THE TIMES ARTS



## ■ THEATRE 2

... while at the Tricycle a true story raises disturbing questions but makes a bad play



## ■ DANCE

Not much remains of Petipa in Northern Ballet Theatre's spirited overhaul of *Don Quixote*

# Art takes on the colour of money

Five years ago, the Academy of Motion Picture Arts and Sciences thought its members might benefit from a little refresher course in the whys and wherefores of voting for Oscars. The leaflet was called *Notes on Voting*. When judging costume design, members were advised not to plump automatically for the period film with the nicest frocks, but to ponder whether the clothes pushed forward the story or characters. When judging sound, the ears should stop being impressed by loudness alone, and should consider whether the noises were smoothly engineered or "real". When it came to the Best Picture category, the Academy made the boldest suggestion of all. Forget about box-office success, it said. Just vote on artistic achievement.

It might have added: "And remember, pigs can fly!" For the Oscar ceremony has always been the occasion on which the Hollywood industry gives itself an enormous hug; and who would want to shine a spotlight on a little squirt of a film that only critics liked? In 1991, when the Academy tried out its notes on voting, *Dances With Wolves*, a film too long and big to ignore, won the Best Picture prize, along with five others. This year, nominations for Best Picture include Tom Hanks's near-fatal trip into space, *Apollo 13*, whose box-office gross worldwide tops \$334 million; Mel Gibson's medieval epic *Braveheart* (\$178 million at the last count); and the Australian charmer *Babe* — the film where pigs can talk, if not fly — which has earned \$183 million.

But Mammon does not rule completely, and this year's Oscar contest, due to be fought on March 25, reveals a particularly interesting tussle between the demands of art and commerce. Something inside the Academy voter tells him or her that *Batman Forever*, although a money earner to rival *Apollo 13*, is not Best Picture material. It lacks dignity. Importance, you can almost smell the popcorn being devoured. Genre movies like this are always assigned technical awards. Thus the *Batman* adventure misses out on the major categories, but wins nominations for photography, sound, and sound effects editing. The nuclear submarine drama *Crimson Tide* receives a similar fate: so does *Waterworld*.

Something inside the Academy

What hope does a subtitled film have of winning this year's Best Film Oscar? A big one, says Geoff Brown

my members also tells them to rally round *Sense and Sensibility*, which received seven nominations, from Best Picture downwards. To susceptible Americans, Ang Lee's treatment of Jane Austen's novel reeks of class. Characters talk properly. They ride horses and sip tea. All the culture of the Old World is there. And it stars (and was written by) Emma Thompson — so droll, such a saint, so clever.

Yet such a civilised English-flavoured film remains an acquired taste in America. *Sense* is still in the throes of its release in America, where it has currently taken \$33 million, although room for further expansion may be limited. Indeed, one exhibitors' representative, quoted in the trade paper *Variety*, suggests that it would be hard to get bookings for the film "more than 100 miles from the ocean". They ride different kinds of horses in Wyoming.

However, the truly intriguing highbrow contestant this year is not *Sense and Sensibility*, but *Il Postino*, the heart-warming tale of a simple Italian whose eyes are opened to poetry and romance when he delivers post to the exiled writer Pablo Neruda.

A subtitled film like this, which has taken \$12 million in America (and double that abroad), only reaches the Academy ballot after colossal lobbying. Miramax, the American distributors, reportedly spent as much on the Oscar campaign as on acquiring domestic and world rights in the first place — \$15 million.

During the winter months, trade papers have carried regular and tasteful advertisements rhapsodising over the merits of *Il Postino*, pointing out its peculiar status as an Italian film directed by an Englishman. Michael Radford, according to Academy rules, this precludes it as a candidate for the Best Foreign Language Film award. But spare your tears, readers. The adverts continue: "We take

great pride that this remarkable motion picture remains eligible for consideration in all other Academy Award categories — including Best Actor, Best Director, Best Original Screenplay and Best Picture of the Year". Oddly enough, *Il Postino* has been nominated in every one of those categories, plus one more — Best Original Dramatic Score. Miramax's manoeuvrings have concealed the fact that the film's star actor, Massimo Troisi, who died of heart disease 12 hours after shooting finished, is regarded in Italy as the film's co-director, and was credited as such on its premiere in Venice. Still, there is no doubting the film's genuine appeal to the more enlightened Academy voter. In an industry dominated by hardware movies made to a formula, *Il Postino* speaks up for ordinary human feelings.

The rest of the Best Picture candidates take off into fantasy or distant worlds. In *Braveheart*, Gibson bestrides the 13th century with wild knotted hair and a kilt. In *Babe*, a talking pig teaches lessons in gallantry and politeness. Hanks, up in the special effects sky in *Apollo 13*, relives the big drama of 1970. And, in *Sense and Sensibility*, Austen's heroines wrestle between suitors among England's rolling hills.

*Il Postino* is a period film too (the year is 1952). But you never feel the past as an encumbrance. Although the direction is plain and a little lethargic, Radford and Troisi cut through to the heart of the matter — human beings.

Judged by history, *Il Postino* only has an outside chance of winning on March 25. Since the first Oscar ceremony in 1929, there have been four other foreign-language films up for Best Picture. The first was Renoir's war masterpiece *La Grande Illusion* in 1938; the most recent was Bergman's searing *Cries and Whispers* in 1973. None of them won.

But in some ways the nominations themselves are booty enough for a foreign-language film. Americans need a shove and poke with a sharp stick before they will see a subtitled film, supposing exhibitors give them the chance; and the word "Oscar" on a poster, even if it is followed by "nomination", works wonders in stimulating interest. That, ultimately, is what the Oscars are all about. Not art, just the art of putting burns on seats.



Will it be art for art's sake, money for Oscar's sake on March 25? Both the \$24 million-grossing *Il Postino* (top) and the \$300 million cash cow *Apollo 13* have been nominated in the Best Picture category of this year's awards

THEATRE: Fine fantasy on tour from Devon and Cornwall, but real-life tragedy makes for poor drama

## The haloes say hello

ANGELS and old stepladders: Theatre Alibi's marriage of the fantastical and the lowly can be truly charming, almost transcendental. This young troupe, up from Devon (and returning to tour the South West), arrive in big black boots and wave hello.

This comically attractive threesome, a pair of gangly lads and one short sturdy lad (Emma Rice, rather like Judi Dench reincarnated as an experimental vaudevillian), dress in downbeat, wartime clothes. In what looks like a storeroom undergoing decoration — canvas, boxes, bare shelves — they conjure up other worlds. These hover between bedtime stories, religious visions and squiffy trips.

*Little White Lies* is a quartet of tales. An angel with elasticated gold wings is flummoxed about the quickest way from A to B by two crows in feathery bowlers. A young down-and-out slips through an open door at Oddbins and finds a blessed bottle of pink spirits that briefly lifts him to a happier world where everything is coming up roses.

Hole-in-the-wall machines throw out money like confetti. The tramp's dream-digger materialises miraculously, a steering wheel on Rice's head resembling a halo. But the drink fails to bring his father back to life.

In the third story, a photographer recalls capturing a woman's death. In the last, a nun falls in love with her gawky guardian angel who was injured saving her life but eventually flies away, moving — in a beautiful metaphor — from a lover to a son.

At points the stories progress too slowly or steer only just clear of babyishness

**Little White Lies**  
Croydon Warehouse

in the clowning. But this close-knit team works with concentration as well as playfulness, generating profoundly tender moments.

They also pepper the evening with darker patches. The war-zone photographer's recurring dream is strangely disturbing. Under the beam of an ordinary anglepoise, he tells how he still sees that wounded woman in the hospital corridor. Through the shelves, we can make her out in formal profile, then tilting

sideways with a rasp of breath.

The photographer, facing us, repeatedly clicks his camera. His flash, turned backwards, illuminates the blackness and the woman jolts with each flare, boots banging against a wooden box, her heart violently stopped or miraculously resuscitated by his photography.

Directed by Nikkī Svéd, Alibi is a tiny company of enormous, curious inventiveness. Its children's show, *Fly-By-Night*, will be playing at Wimbledon's Polka Theatre in April.

KATE BASSETT

## This much fun must be illegal

OVER the next five weeks the Donmar is importing work from Ireland, Wales and Scotland: but it launches its "four corners" season by introducing us to a company from a less obvious Celtic nook. Kneehigh Theatre has been touring Cornwall for the past 14 years without making any noise that has reached this particular pair of metropolitan ears. On the evidence of Mike Shepherd's production of Nick Darke's *King of Prussia*, that is my loss, and an indisputable gain for the land of caravans, lobster pots, defunct tin mines and retired pirates with parrots on their shoulders.

The title is the sobriquet of one John Carter, a late 18th-century smuggler and, in his way, as decent a man as ever left back to life.

In the third story, a photographer recalls capturing a woman's death. In the last, a nun falls in love with her gawky guardian angel who was injured saving her life but eventually flies away, moving — in a beautiful metaphor — from a lover to a son.

At points the stories progress too slowly or steer only just clear of babyishness

**The King of Prussia**  
Donmar Warehouse

get my bearings — brains are probably nimbler in the Cornish sea air than the Seven Dials fog — I found myself fully absorbed in Darke's tall tale of a King of Prussia who takes a bet with his rival in customs-busting, the less principled wife of the eccentric scientist and seaweed fancier who owns the local castle.

Whichever of them manages to bribe the apparently incorruptible revenue officer, John Knill ("the detestable practice of cheating King George is a crime, for the poor demented monarch needs all the money he can get") will receive £100 from the other. The money is duly exchanged, but only after betrayals, forays to revolutionary France, near-death experiences and, for Knill, a three-day period suspended in a length of canvas over a cliff. Thanks to an unexpected show of female flesh below, he manages to survive the experience without too much suffering.

In Cornwall, the piece may have

## Poor show in custody

20-52  
Tricycle

this production won an award, she played herself and, although not expected to do so here in London, she stepped in at the last moment to repeat her performance as a battling survivor.

I admire her tenacity in calling for inquest after inquest — the third one will take

place next month — and by collaborating with Jeremy Weller, the director of the Grassmarket Project, and his troupe of non-professional actors, she has clearly raised the profile of her case. But the events they choose to highlight make a dreadful play: repetitive, verbally impoverished and profoundly uninvolved. There is no point in saying otherwise.

While I hope that one day a glorious act of justice will be performed, I must point out that she has allowed herself to be presented as a cantankerous individual whose life is a mess. The devisers of the play show her arguing with her supporters, slagged off by her mother-in-law, cheated by her surviving brother and fighting her abusive husband. She even sneers at the *Times* journalist who has been championing her case but is reluctantly obliged to move on to another story.

The characters are no more than stiff thumbnail sketches put together by writers with stiff thumbs, who have no confidence in their ideas and therefore present the same few again and again.

The husband is inarticulate and jealous, the brother shiftless, the man from the Commission for Racial Equality a twerp: each gets a scene with the heroine to show how unreliable he is, and how high the odds are stacked against her sanity.

Only the twerp (David Hodgson) knows how to speak dialogue, and most of the others express impatience by taking three steps this way and three steps that. The production (Weller) is tedious: the lighting a disaster. I wish the heroine well and hope that her legal advisers are better equipped than this well-meant but feeble promotion.

BENEDICT NIGHTINGALE

JEREMY KINGSTON

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## ■ OPERA

**Silbersee** is staged in Dessau, as Kurt Weill's home town begins a festival in his honour



## ■ MUSIC 1

**Boldness and vigour** comes from Nikolaus Harnoncourt in a night of authentic Haydn

THE TIMES  
ARTS

## ■ MUSIC 2

... while two suites by Miles Davis and Gil Evans are given new life in the Fifties Festival



## ■ MUSIC 3

... and Heinrich Schiff is among an array of fine cellists displaying their talents

# Why the Nazis feared Weill

Could Weill become to Dessau what Handel is to Halle and Bach to Leipzig? It is an engaging thought, and one doubtless passing through the minds of the city fathers and Anhalt Land politicians as, after modest beginnings, the fourth Kurt Weill Festival runs through the week, focusing on a slap-up new production of *Der Silbersee* and supported by concerts of both his secular and religious music.

Dessau has not been kind to Weill. The synagogue where his father was cantor was destroyed by the Nazis, and his birthplace was demolished under the DDR. Nor has the 20th century been kind to Dessau, the seat of a not-yet-grand Götterstein-style duchy: industrialisation, heavy wartime bombing, hideous rebuilding, general economic and social depression.

But things are looking up. Gropius's magnificent 1925 Bauhaus survived everything and is once more in full swing; his entrancing suburban villas are being tidied up — one of them houses the new Kurt Weill Centre — and the 18th-century pavilions and parks on the outskirts of the town are slowly being restored. There are two outstanding Cranachs in the half-refurbished Anhalt Picture Gallery just behind the railway station.

## ■ OPERA

**Der Silbersee**  
Anhaltisches Theater,  
Dessau

And there is the Anhaltisches Theater, which opened with pomp in 1938 in the presence of various unmentionable people. It was bombed, and rebuilt as it was in 1949, a fine example of totalitarian architecture which, as Osbert Lancaster reminded us, recognises no distinction between left and right. The stage is larger than Bayreuth's, and the comfortable auditorium seats just over 1,000. It houses precisely the sort of busy municipal ensemble giving opera, drama, musicals and ballet for which Weill wrote *Silbersee*. Composer and town could indeed do a lot for each other.

*Silbersee* was Weill's last work for the German theatre. It was given simultaneous premieres in nearby Leipzig, Magdeburg and Erfurt in February 1933, and was a sensational success: the Reichstag fire followed nine days later, performances were suppressed, and Weill fled to Paris.

It has always been considered a "problem" piece, being a play by Georg Kaiser with

music by Weill, and thus requiring actors as well as singers: so does *White Horse Inn* (1933), which by delightful coincidence is in the Dessau repertory in a charming and authentically tacky staging. There have never been problems about Benatzky's piece, so why are there in Weill's?

The non-problems vanished in the highly accomplished Dessau production, which was given under the aegis of the drama company with a couple of guests from the opera ensemble. No seams

showed: you had to look up in the theatre yearbook to find out which were actors and which were singers — which is as it should be. A shortened but perfectly coherent version of Kaiser's text was played, and the music was extremely well conducted by Karl-Heinz Zent.

The only arguable problem was the decision of the joint directors, Helmut Straßburger and Ernst Georg Hering, to put the audience on stage and some of the action in the auditorium. Orchestral

sound was muffled and seating capacity limited to 250. This is the sort of "idea" that one has after a good dinner and should discard at breakfast the next day.

Otherwise, the evening was enormously rewarding: brilliant, unashamedly epic acting from Gerhard Siegel (a fine tenor) as the unemployed worker Severin, and Karl Thiele as the policeman who wounds and then befriends him; no-holds-barred bourgeois villains in Regula Steiner and Konrad Rupp;

Stefanie Wüst charming as Fennimore, who gets to sing the rip-roaring *Ballad of Caesar's Death*. The many small roles were all expertly taken. Ensemble lives! And you saw precisely why the Nazis feared Weill so much: the combination of his music and Kaiser's *faux-naïf* text is lethal — "ten times tougher than any Brecht play" in the words of the original director, Douglas Sirk.

Over last weekend's other main offering, a wretchedly badly played and sung

*Dreigroschenoper* (music only), it would be kind to draw a veil: the promoters will need to exercise stricter quality control if the Dessau Weill Festival is to take off internationally. But it served to emphasise just how much Weill had changed as a composer in the five years between the two works. The waltz that ends *Silbersee* leads straight to Broadway. Contrary to received opinion, there really was only one Weill.

RODNEY MILNES



A rewarding evening involved brilliant, unashamedly epic acting from the tenor Gerhard Siegel, centre, as the unemployed worker Severin

## ■ JAZZ

## Comedy in store

BILLY JENKINS, southeast London's answer to Victor Borge (with a dash of Spike Jones thrown in), has been highlighting the absurdities of popular culture in general, and jazz in particular, since 1982, when his seminal recording, *Sounds Like Bromley*, first hit the shops. His latest venture, a collaboration between members of his Voice of God Collective and the brass and reeds quartet, Fun Horns of Berlin, has a veneer of respectability — the tour was funded in part by the Arts Council and this concert recorded by Radio 3 — but underneath, Jenkins remains a uniquely eccentric iconoclast.

There were clenched-fist salutes to Bert Weedon and Jarvis Cocker, jokey refer-

**Billy Jenkins**  
Purcell Room

ences to Ronnie Scott and his recent report on jazz, patches of Radio 3-baiting and a wealth of similar satirical business, but, crucially, the seven musicians with Jenkins generally played poker-faced straightmen to his all-licensed fool. The Fun Horns proved to be a superbly tight, well-drilled unit, whether adding meat to Jenkins's R&B-type arrangements or performing their own neat material, and VOGC regulars — bassist Steve Watts, drummer Martin France and pianist Huw Warren — all coped with their leader's sudden calls for everything from Marvin Gaye-type smoochy slinkiness to heavy metal with remarkable aplomb.

It is Jenkins himself, though, who commands attention throughout, even when he is just sitting appreciating the others' efforts. Like Borge, he infuses everything he does with droll, dry humour. Thus not only the overtly amusing features but also the superficially "serious" passages of hectic, scabbling group improvisation, are all grist to Jenkins's comedic mill.

Since Jenkins's natural habitat is the small, intimately informal jazz club, the relative primness of the South Bank might have handicapped a less adaptable artist. Jenkins, though, from the moment he stepped on stage to read a witty excuse-postcard from an absent band member to his closing feature, *Jazz Had a Baby — and They Called It Avant-garde*, had the audience in the palm of his hand.

CHRIS PARKER

CONCERTS: Great period-instrument pioneers return to London; and jazz comes to the Fifties Festival with a tribute to Miles Davis

IT IS 43 years since Nikolaus Harnoncourt founded Vienna Concentus Musicus, and 39 years since they gave their first concert (they practised for four years to get it right). But any notion that Monday's all-Haydn programme was played by a band of doughty pioneers, long ago outclassed by the smooth virtuosi of younger ensembles, may be swiftly dispelled.

Period-instrument playing is certainly smoother these days. Another word would be blander. But for audacity, provocation and thrills, Harnoncourt and his orchestra remain a class apart.

That was apparent from the first bars of the *Symphony No 52*. Horn staccatos stung like hailstones; strings dug ferociously into their furious semiquavers. If anybody needed a vivid demonstration of what the *Sturm und Drang* movement meant to music, this was it.

Then came a remarkable change. Suddenly the string players were stroking fur; the phrasing was limpid as a lily; the mood one of elegant pathos. Only Harnoncourt would dare to suggest that

## Calm after the Sturm

Concentus Musicus/  
Harnoncourt  
Barbican

Haydn meant to encompass such polarities in a single movement.

Some of Concentus Musicus's habits irritate as much today as 20 years ago: the affectation of shading off slow-movement phrases so completely that the last chord is all but inaudible; the exuberant but also undeniably over-the-top hammering of any chord marked with an accent, and quite a few that aren't. And when period instruments are played with such extrovert abandon there are bound to be accidents. Harnoncourt demands that all the tricks be

done without safety-net. That can upset those who prefer music-making to sound neat and careful.

But set that against the humour, the unsuspected depths, the glories of orchestral texture, that he uncovers. For the *Symphony No 31*, the "Hornsignal", he divided his four superb natural-horn players, two each side of the orchestra. The effect was blood-curdling. And again there was remarkable contrast, this time with the characterful flute, violin, cello and double bass soloists within the ensemble.

Sandwiched between the symphonies came vocal music. Barbara Bonney sang two arias from Haydn's operas with luscious tone, marred only by a tendency to start high notes slightly flat before settling properly. However, in the tremendous challenge of the *Scena di Berenice* — an astonishing work with wild modulations that anticipate the spirit of *verismo* by a century — she was fully focused both in passion and pitch.

RICHARD MORRISON

## Across the popular divide

FOR THE first time in the ongoing "Towards the Millennium" survey of this century's music, part of a concert has been devoted to popular music of the day.

In the London Sinfonietta's concert on Monday featuring the 1950s, we heard the first live British performances of two Miles Davis-Gil Evans suites — works without which it would be hard to capture the spirit of the decade.

Extending the scope of this series towards crossover styles is, of course, something that has been done in previous years, but it was especially fruitful here: not because in the 1950s much contemporary "classical" music was so bleak, but because more than ever composers were crossing the popular divide in both directions.

Davis himself was conservatory-educated, and many "serious" composers were taking inspiration from the music around them in everyday life. Monday's conductor, Markus Stenz, put together an exciting programme reflecting this: and, side-stepping jazz but remaining in the 1950s, he added Takemitsu's *Requiem for Strings* as a tribute to the

London Sinfonietta/  
Stenz  
Queen Elizabeth Hall

Japanese composer who died a fortnight ago.

Stenz was also the only person on the platform visibly enjoying the opening work: the players had a look of tense concentration as they dispatched Conlon Nancarrow's *Study No 7* with panache. Originally written for the player-piano because of its complex, superhuman demands, the music sounded quirky and adventurous here: the arrangement preserves the webs of sound and the attack of the player-piano, and uses even the winds percussively.

Bernold Alois Zimmermann's radical modernism was balanced with an anarchic interest in jazz. His trumpet concerto, *Nobody knows de trouble I see*, builds inexorably towards a big-band sound, before dying back to a chord consisting of all 12 notes. One of the great modern trumpet concertos, it demands almost unbroken virtuosity from the soloist during its quarter-hour

duration, and received it from John Wallace.

Joanna MacGregor was the admirable soloist in John Cage's Prepared Piano Concerto, delicate and caressing in the whimsical musing the piano provides as contrast to the orchestra's arid dreamscape. The versatile MacGregor was no less at home with the stark jazz of Thelonious Monk's short solo, *Ask Me Now*, which formed a perfect link to the evening's second half.

Two Evans sidemen, Guy Barker and the veteran Lev Soloff, brought bright and poignant authenticity to the Davis-Evans venture. But, versatile though the London Sinfonietta players are, the suite from *Miles Ahead* lacked real grit and refused to go with much of a swing. Three numbers from *Sketches of Spain* were far more evocative, especially the leonine virtuosity of the cello, then Heinrich Schiff is the bustling great bear. His Queen Elizabeth Hall concert with the Orchestra of the Age of Enlightenment was also something of a cello-fest: for Georg Christoph Wagenseil's Sonata in A after the interval, Schiff

JOHN ALLISON

## Cellos get a chance to party

Ralph Kirshbaum et al/Wigmore Hall  
OAE/Schiff/Queen Elizabeth Hall

NINE cellos in one evening, and not an orchestra in sight. But this was the 50th birthday of Ralph Kirshbaum and the 35th anniversary of the evening when Jacqueline du Pré made her London debut at the Wigmore Hall. What better place for the party? And what better reason than in support of the appeal set up in du Pré's memory for the new concert hall at St Hilda's College, Oxford?

Not all nine cellos played all of the time. But they got together — Ralph Kirshbaum, Steven Isserlis and assorted former pupils including Antonio Lysy and Robert Max — to play *Les Rois Mages*, a sombre little interlude in an oratorio called *The Manger* written by Pablo Casals. Each voice entered, with its own distinct character, as the learned fugue of the *Three Wise Men* doggedly followed its own musical star. And then a flutter of gruff pizzicato and a high, bright human voice: the Bogota-born soprano, Justina Lacarra led the cellos in the haunting vocalise of the fifth of Villa-Lobos's *Bachianas Brasileiras*.

David Popper, the Prague-born Paganini of the cello, pined Kirshbaum and Isserlis against each other in his Suite in G major, published in 1876 and an unashamed piece of salon virtuosity. Isserlis, the lower voice of the two, threatened to play Kirshbaum out of the stage, vaulting through his bass part while Kirshbaum valiantly stretched for the horribly fast, horribly high notes assigned to him.

Kirshbaum's own thoughtful and perceptive musicianship showed itself well enough in Brahms's E minor Sonata and in Debussy's Cello Sonata, in which his pianist was Peter Frankl — and what fiery flashes of imagination there were in this piano playing. This concert also, significantly, celebrated the 25th anniversary of the Kirshbaum-Frankl partnership.

If Kirshbaum is the sensitive singer and conversationalist and Isserlis the leonine virtuosity of the cello, then Heinrich Schiff is the bustling great bear. His Queen Elizabeth Hall concert with the Orchestra of the Age of Enlightenment was also something of a cello-fest: for Georg Christoph Wagenseil's Sonata in A after the interval, Schiff

found himself in the company of the OAE's own principal cellists, Timothy Mason and Susan Sheppard, with Chi-Chi Nwanoku and her double bass keeping them in mischievous order.

The composer was much admired by the likes of Mozart and Burney: the work was a bold exercise in *galanterie*, with a loose-limbed introduction of occasional harmonic vagary, a sighing slow(ish) movement and a pert little closing minuet.

Haydn's Cello Concerto in C, conducted from the bow, as it were, by Schiff, was drawn with brisk, brusque strokes, figuration flying, ornaments twirling into place, and

with a loose-limbed introduction of occasional harmonic vagary, a sighing slow(ish) movement and a pert little closing minuet.

Haydn's Cello Concerto in C, conducted from the bow, as it were, by Schiff, was drawn with brisk, brusque strokes, figuration flying, ornaments twirling into place, and

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The private girls' school she attended might not remember Amanda Fone. She was expected to manage only two Es at A level and told she was not "university material". In the event she achieved Bs in history and English. Since then she has been head of the college leaver division of a leading recruitment agency, runner-up in the 1994 *Cosmopolitan* Young Woman of the Year awards, and has helped to launch the "Take your daughters to work" initiative.

Last year, at 32, she became chairman of Fasttrack, an organisation helping secretaries to do the very thing she has had to do for herself — develop their careers. "I firmly believe people can do whatever they want to," she says. "Fasttrack is here to help them."

The idea for the organisation took seven years to develop before its London launch in June last year. In eight months 1,300 secretaries have joined and branches have been started in Birmingham and Bristol. The target membership is 10,000 with branches around the world. Ms Fone wants to recruit at least 4,000 of those by the end of this year.

"There are 750,000 secretaries in Britain," she says. "And our research indicates they all want help, guidance, encouragement and knowledge."

Ms Fone is qualified to offer it. She started as a receptionist for Angela Mortimer Recruitment after a talk given at secretarial college by its founder. "She was the first person who made going out to work seem like fun. I started at the

## Champion of the office secretary

bottom, which is where you begin to make an impact," she says. Having worked her way up, today she listens to what those now at the grass roots are saying.

"When you are interviewing secretaries every day you hear the reasons they are leaving their jobs," she says. "You build up a familiarity with that end of the market place. We felt there was a need to start providing some of the answers."

Facing awkward issues is important at Fasttrack and among those up for discussion this year are "Technology replaced the manager, will it replace the secretary?" and "The secretary as the office wife."

"We are not afraid of being unpopular," Ms Fone says. "There are issues people do not want to address, but we are not going to pat secretaries on the back and say, 'There, there, everything will be all right'. We are saying, 'Wake up, there is a changing world out there, have you thought about your place in it?'"

Ms Fone says: "We interview hundreds of secretaries each year and we are saying it is up to them to

go out and make something of their future. Fasttrack will provide the infrastructure but our success depends on their success."

Fasttrack members are offered courses, talks, career advice and a monthly magazine, through which the organisation introduces ideas it thinks secretaries should be considering.

"Anything can happen. I call it

**'Secretaries need to keep their ears and eyes open or they could find themselves out of a job'**

the hockey stick factor," Ms Fone says. "It takes a long time then, all of a sudden, whoosh, people find themselves out of a job because they didn't know what was going on around them. Secretaries need to keep their ears and eyes open."

Women's development has long been a fascination for Ms Fone who would be happy to remain chairman for ever. It is a mind-set, she

says. "I love my job, and so much of what I think anyway is connected with it." Not due back from maternity leave until April, Ms Fone has spent her time setting up an office at home. Twelve-week-old Oliver has had to fit in with her plans and was sleeping through the night within days.

"I don't care what anyone says, you have to discipline babies like adults. I learnt on day 15 that a bottle-fed just before bedtime makes them sleep through the night and the next morning I was mentally alert and able to get back to work," she says. She hired a maternity nurse to teach her how to juggle baby and career. It was the most terrifying experience, she says. "I said I had to learn fast because I love my baby and my career and want to balance them and do both well. I know that it's not going to be easy."

Managing her time effectively is a goal Ms Fone has set herself for 1996 and, with the trend to part-time work, she says it is a subject all secretaries should be considering. A Fasttrack workshop on teleworking is set for March 21.

When she is not at work or caring for Oliver, Ms Fone relaxes by swimming and playing tennis with her husband, a freelance racing correspondent. She also helps her mother to run National Youth Ballet, a charity, and loves entertaining. She watches *Panorama* and *World in Action* because "they are asking questions" and reads at least one newspaper a day. For escapism she turns to classics such as Jane Austen. "I love reading about the way things used to be and thinking yes, but can they be done differently now? I loved history at school."

History and sport aside, she has few other happy memories of school life. Sent to boarding school at 13 she missed her younger brother and sisters, but says she benefited in other ways. "I learnt to choose my friends well and stand on my own two feet, which is one of the most important things you can teach a child." It is also what she is urging Fasttrack members to do.

Merit, perhaps something Ms Fone was not credited with at school, is the only requirement to joining the organisation she now heads. "We don't care where you come from, what your name is or how much money you have," she says. "All we want to know is whether you want to do a job and do it well. With the right attitude, you have to succeed."

It is the philosophy Ms Fone says she lives and breathes. There is little doubt it is working well for her.



Amanda Fone of Fasttrack: "We are not afraid of being unpopular"

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# Is Scotland being sold to the highest bidder?

Traditional aristocrats are giving way to foreigners and conservation groups, Rachel Kelly reports

A vast swath of Scotland last week passed from its ancestral owners to a charitable trust.

The 10th Duke of Atholl left 70,000 acres of Perthshire land north of Pitlochry to the Blair Charitable Trust. The late duke handed over the estates to a charitable trust to ensure they remained as an entity for the sake of the people who work and live on them," says Rosemary Walker, a spokeswoman. "He could have sold Atholl to anyone for millions, but he signed away his fortune for the good of the area."

Others are neither as altruistic nor as lucky as the duke. For the past decade, traditional land-owning aristocrats have been selling up from the Borders to Barra. Some have been forced to by bankruptcy. Others have been hit by Lloyd's. Still more have been seduced by the rash of foreign buyers and conservation trusts who have been eyeing their rolling acres. Scotland is ripe for the plucking.

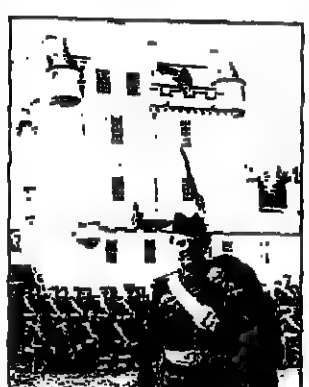
The result is a sea-change in the ownership of the Scottish Highlands and Islands. No longer are vast wildernesses owned by families who have gone hunting, shooting and fishing for generations. In their stead are self-made millionaires from Egypt, the Netherlands, Dubai, Hong Kong and America and a crop of environmental and conservation groups.

James Laing, from Strutt & Parker, says: "Scotland appeals to northern Europeans in particular because they have limits on how much property they can own at home. They can buy unlimited acres in Scotland."

Last year, the 77,000-acre Mar Lodge estate in Aber-

deenshire adjacent to Balmoral was bought by the National Trust for Scotland. It was previously owned by the American businessman John Kluge.

Other recent sales include that of the 42,000-acre Glenfeshie estate, in Inver-



The 10th Duke of Atholl left 70,000 acres in trust



Scottish buyer: Ann Gloag bought Beaufort Castle

ness-shire, bought by the Will Woodland Trust in 1994; the 17,000-acre Forsinard estate in Sutherland, purchased by the Royal Society for the Protection of Birds at Christmas 1994; and the 14,000-acre Strathaird estate on the Isle of

Skye, acquired by the John Muir Trust. The National Heritage Memorial Fund, which spends 10 per cent of its budget on land purchases, often helps such groups to buy these estates.

Traditional landlords do, of course, remain. The likes of the Duke of Buccleuch and Cameron of Locheil have survived, according to Andy Wightman, author of *Who Owns Scotland*, published by the Edinburgh publisher Canongate next month.

But others, such as the Sutherlands, the Wills tobacco family and the Frasers of Lovat, have given way to new owners. Lord Kimball was forced to sell the 47,000-acre Altnaharra estate in Sutherland because of Lloyd's losses in 1994.

Kjeld Kirk-Christiansen is typical of the new breed of landlord. He runs the Danish Lego Corporation and last year bought the 60,000-acre Strathconon estate in Ross-shire, which had been held for three generations by the whisky distilling MacDonald-Buchanan family.

Marlin Eckhard Maruma from Stuttgart last year bought the Hebridean Isle of Eigg. A mysterious Malaysian businessman behind the Andras holding company last year bought the 16 million 40,000-acre Glen Avon estate, once owned by the Wills family and a favourite spot of Queen Victoria.

Mr Wightman calculates that half of Scotland is now owned by just 500 people. It is believed that fewer than half those owners are Scottish.

Does it matter? Of course, there is something about the idea of a family of long-standing connection, such as the Atholls, that seems to embody the spirit and ro-



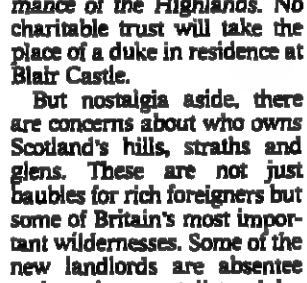
ISLE OF EIGG



GLEN AVON



STRATHCONON



STRATHAIRD

MAR LODGE

FORNSHARD

1. Durness, Dutch

2. Ben Loyal, Danish

3. Forsinard Estate, RSPB

4. Glenfeshie, American

5. Loch Scatorty, Swiss

6. Earls Cross, Hong Kong

7. Bainsgown, Arabian

8. Letterewe, Dutch

9. Dun Marag Island, German

10. Eilean Algas, Singaporean

11. Strath Conon, Danish

12. Strathaird Estate, John Muir Trust

13. Mar Lodge Estate, National Trust for Scotland

14. Glenfeshie, Will Woodland Trust

15. Mounie Castle, Hong Kong

16. Glen Avon, Malaysian

17. Clova Estate, Belgian

18. Loch Duich, Arabian

19. Knoydart, Kinloch Investment Company

20. Castlebay, American

21. Isle of Eigg, German

22. Kilchoan Estate, Belgian

23. Glenborrodale Castle, American

24. Braiken, overseas owner

25. Blair of Chaulm, Dutch

26. Conour, American

27. Ben Alder, Swiss

28. Blair Atholl, Blair Charitable Trust

29. Pinnal, Danish

30. Latham Grange, Taiwanese

31. Tower of Lethendy, American

32. Kinfauns Castle, Hong Kong

33. Durness, Dutch

34. Blackford Estate, Arabian

35. Cherrytrees Estate, Scottish

36. Knockdown, Swedish

37. Clova Estate, Danish

38. Teza Island, American

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# Keegan faces stern test of leadership

The French club, beaten on every front domestically this season, hope to salvage some pride against Sparak, in the knowledge that they have never lost to a Russian team in European competition.

## Baseball Tour

(million) on New Year's Eve last year. The qualifying round in Wisconsin will send the top three — Greg Gorman, Nick Price and Eric Els — to the final.

The European qualifying event will have Colin Montgomerie and Bernhard Langer, ranked fourth and fifth, while Corey Pavin, the 16, will play in an American qualifier. Each of the matchplay competitions features eight players trying for the spot in the final at Scottsdale, Arizona, on Janu-



# Shadow Foreign Secretary applauded for visionary speech

## Cook finds recipe for lottery relief

By RICHARD EVANS, RACING JOURNALIST OF THE YEAR

IN A speech overflowing with sparkling wit and considerable vision, Robin Cook yesterday offered New Labour's remedy to some of racing's most pressing problems, which left the sports leaders purring with pleasure.

The shadow Foreign Secretary, whose love of racing extends to writing a regular tipping column for the *Glasgow Herald*, used the opportunity as guest speaker at the annual Tote lunch in London to spell out how a regular £1 million jackpot to combat the effects of the Lottery could be achieved: why the Tote and the British Horseracing Board (BHB) should become closely



Cook believes larger jackpots would combat Lottery effect. Photograph: Denzil McNeelance

**RICHARD EVANS**  
Naps: NORTHERN UNION (3.40 Wolverhampton)  
Next best: Galapino (3.10 Wolverhampton)

intertwined — and he offered bookmakers the tempting proposition of being allowed to take bets on the Lottery.

Addressing one of the most Conservative audiences in the land, Cook won over the 220 guests in a trice with his humour and direct approach. Even Lord Wyatt of Wexford, chairman of the Tote and renowned for his pro-Government sympathies, acknowledged publicly that Cook had lived up to his reputation as "the wittiest speaker since Aneurin Bevan". For good measure, Lord Hartington, the BHB chairman, also congratulated Cook on his speech.

With the effect of the Lottery on betting turnover clearly in mind, Cook offered some friendly advice to Wyatt, who is never slow to laud the supposed achievements of his

pool betting organisation. "The relative market share between the Tote and the bookmakers is now a lot less important to racing than it was when we both had to keep racing's share of the gambling market," he said.

He disclosed that a Labour working party, whose membership includes Chris Bell, managing director of Ladbrokes, was looking at how to amend the Lottery. The issues under discussion included whether bookmakers

should be allowed to take bets on lottery numbers, as they are in Ireland. "For myself, I would argue that any measure that halts the decline in small betting shops and keeps the public coming through the door is in racing's interest."

However, in a crucial section of his speech, Cook said there might have to be a tariff arrangement. "The Lottery is, of course, nothing but a large pool betting system, a sort of big brother to the Tote. If we are honest, the enormous

interest in the Lottery has revealed racing's failure to attract a big enough pool to capture the public imagination. If we are to fight back we need a regular £1 million pool — and the Tote cannot offer that without more outlets."

"If Ladbrokes and Hills were to drop their opposition to Tote Direct terminals in their shops, Labour might be more accommodating to their desire to be on the Lottery." His suggestion lit up the Tote audience and, tongue in cheek,

he continued: "I am not suggesting anything so crude as a deal. New Labour is a gentle, non-threatening animal. I am, though, suggesting that one positive attitude might encourage another positive attitude in response."

Cook then addressed the relationship between the Tote and the BHB and recalled how a Commons home affairs select committee had recommended five years ago the Tote should be vested in a democratic body such as the BHB.

A green paper from the Home Office on a possible Tote transfer appears to have sunk in the Whitehall quicksand and, with Michael Howard, Home Secretary, sitting only feet away, Cook gave a strong hint as to Labour's attitude.

"The BHB is an immense step forward for racing. Whatever legitimate debate there may be about the representative character of the BHB, no-one denies that the BHB will be the governing body that shapes the future of racing. For myself, if the Tote wants a secure place in that future of racing, then I think it would be wise to seek a closer structural relationship to the BHB."

He called on Howard to take time to finish the green paper on the Tote and, in a barbed political comment, Cook said he would use his influence on Jack Straw, the shadow Home Secretary, not to complain if Howard shelved the Asylum Bill for a couple of months "to address the more pressing matter of the future of the Tote."

Cook's thoughts were in contrast to those of Lord Wyatt, who voiced his outright opposition to the BHB or Racecourse Association running the Tote. "I am implacably opposed," he said. "In the words of a great lady known to us all 'No, No, No'. It's unnecessary."

## One Man hardens as champion drops out

By JULIAN MUSCAT

ONE MAN tightened his grip on the Cheltenham Gold Cup yesterday after Master Oats, the winner 12 months ago, suffered a leg injury that has ruled him out of steeplechasing's blue riband.

The Gordon Richards-trained grey, who completes his Gold Cup preparation with a gallop at Carlisle racecourse today, has hardened to 11-10 favourite with William Hill. The firm then bets 9-2 Imperial Call, 5-1 Dublin Flyer, 8-1 Monsieur Le Cure, Rough Guest.

Could he be better, a 12-1 chance, confirmed his place in the line-up a week tomorrow when pleasing his trainer, Charlie Brooks, in a workout after racing at Newbury yesterday.

Master Oats's defection resulted from his aggravating an old injury to his off-fore leg. The Kim Bailey-trained gelding returned sore from a workout over the weekend and subsequent scans confirmed the damage to be more than superficial. He will be roughed off for the season.

"He has had leg problems before and there's always the chance it could happen again," Bailey said of his horse yesterday. "I'm just glad it happened now and not during the big race, when it could have been a lot worse. There is a good chance he will be back next season."

The build-up to Cheltenham has been fraught with disappointment for Bailey. The trainer dominated proceedings 12 months ago, when, in addition to Master Oats, he saddled Alderbrook to land the Champion Hurdle.

## CATTERICK

2.00 Wulmdup, 2.30 Wisdom, 3.00 Morning in May, 3.30 In A Moment, 4.00 The Toaster, 4.30 Dancing Dancer, 5.00 Lord Fortune.  
Carl Evans: 2.00 Wulmdup.

GOING: GOOD SIS

## 2.00 BABY NOVICES HURDLES CHASE

(Amateurs: £1,184; 2m 110yd) (14 runners)  
1-4-21 ACROSS THE CAUD 11P (F.5.5) C. Ramsey 9-10-4  
2-1-12 ADDITION 11P (F.5.5) M. A. Laidlaw 10-1-2  
3-1-12 BABY CHASE 11P (F.5.5) M. A. Laidlaw 10-1-2  
4-1-12 BOWLANDS WAY 11P (F.5.5) M. A. Laidlaw 10-1-2  
5-1-12 CARROLL 11P (F.5.5) M. A. Laidlaw 10-1-2  
6-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2  
7-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2  
8-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2  
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13-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2  
14-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2

## 2.30 HORNY NOVICES HURDLE

(£2,374; 2m) (13)  
1-4-21 ACROSS THE CAUD 11P (F.5.5) C. Ramsey 9-10-4  
2-1-12 ADDITION 11P (F.5.5) M. A. Laidlaw 10-1-2  
3-1-12 BABY CHASE 11P (F.5.5) M. A. Laidlaw 10-1-2  
4-1-12 BOWLANDS WAY 11P (F.5.5) M. A. Laidlaw 10-1-2  
5-1-12 CARROLL 11P (F.5.5) M. A. Laidlaw 10-1-2  
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12-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2  
13-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2

## 3.00 NEWBY NOVICES HURDLE CHASE

(£2,051; 3m 110yd) (6)  
1-4-21 ACROSS THE CAUD 11P (F.5.5) C. Ramsey 9-10-4  
2-1-12 ADDITION 11P (F.5.5) M. A. Laidlaw 10-1-2  
3-1-12 BABY CHASE 11P (F.5.5) M. A. Laidlaw 10-1-2  
4-1-12 BOWLANDS WAY 11P (F.5.5) M. A. Laidlaw 10-1-2  
5-1-12 CARROLL 11P (F.5.5) M. A. Laidlaw 10-1-2  
6-1-12 CHAMPION 11P (F.5.5) M. A. Laidlaw 10-1-2

## RESULTS FROM YESTERDAY'S THREE MEETINGS

### Newbury

Going: good to soft  
2.10 (2m 41y) 1. Mr President (D. J. McCarthy, 5-1), 2. C. C. C. (D. J. McCarthy, 5-1), 3. C. C. C. (D. J. McCarthy, 5-1), 4. C. C. C. (D. J. McCarthy, 5-1), 5. C. C. C. (D. J. McCarthy, 5-1), 6. C. C. C. (D. J. McCarthy, 5-1), 7. C. C. C. (D. J. McCarthy, 5-1), 8. C. C. C. (D. J. McCarthy, 5-1), 9. C. C. C. (D. J. McCarthy, 5-1), 10. C. C. C. (D. J. McCarthy, 5-1), 11. C. C. C. (D. J. McCarthy, 5-1), 12. C. C. C. (D. J. McCarthy, 5-1), 13. C. C. C. (D. J. McCarthy, 5-1), 14. C. C. C. (D. J. McCarthy, 5-1), 15. C. C. C. (D. J. McCarthy, 5-1), 16. C. C. C. (D. J. McCarthy, 5-1), 17. C. C. C. (D. J. McCarthy, 5-1), 18. C. C. C. (D. J. McCarthy, 5-1), 19. C. C. C. (D. J. McCarthy, 5-1), 20. C. C. C. (D. J. McCarthy, 5-1), 21. C. C. C. (D. J. McCarthy, 5-1), 22. C. C. C. (D. J. McCarthy, 5-1), 23. C. C. C. (D. J. McCarthy, 5-1), 24. C. C. C. (D. J. McCarthy, 5-1), 25. C. C. C. (D. J. McCarthy, 5-1), 26. C. C. C. (D. J. McCarthy, 5-1), 27. C. C. C. (D. J. McCarthy, 5-1), 28. C. C. C. (D. 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Popularity of Cronje's team contrasts with England's arrogance

# South Africa avoid the tourist traps

FROM ALAN LEE  
CRICKET CORRESPONDENT  
IN LAHORE

TO BELIEVE that South Africa will win this World Cup, one must depend on the evidence of eyes and ears, and ignore precedent. The disbelievers of one-day cricket makes it rare for any country to win a string of successive international matches, yet South Africa registered their tenth in Rawalpindi yesterday, a sequence they must extend to 13 to take the title.

It is a staggering run of form, even if six of the victories were at the expense of England, and the tenth came clinically against the amateurs of Holland. There is an impetus to their cricket and it has not been acquired by happy accident. South Africa look so good because they have prepared for the competition in ways that other teams have not even considered.



Take manners. It is fashionable in Pakistan this week to bait and belittle the England team. They are, at present, an easy target, and yet there is more behind it than results. England are unpopular here, whereas if South Africa were to win in the Gaddafi Stadium on March 17, it would be generally acclaimed as the best alternative to a home triumph.

The South Africans have made it their business to become popular, and if that sounds uncomfortably uncouth, it is worth reflecting upon the alternative. To tour the sub-continent is to have the patience tested daily, and those who fail the test arouse sensitivities and fall victim to interpretations that do not trouble sportsmen elsewhere.

England have affronted local expectations too often and if some of the episodes can be dismissed as misunderstandings, others betray an ill-fitting arrogance. In the affluent setting of the Gymkhana Club in Karachi, for instance, one player marched through a group of autograph



Kirsten, the South Africa opener, steers the ball into the off side during his innings of 83 in the victory over Holland in Rawalpindi yesterday

hunters, instructing them to "Go back to your corner shops". An added absurdity was that they were all undoubtedly richer than him, as well as more polite.

The South Africa players are not angelic, but they are trained to do the right thing. The team has a public relations manager on tour, as England conspicuously do not, and the players are expected to attend appropriate functions smart and smiling, not scruffy and scowling. Hansie Cronje, the captain, has also mastered enough of the Urdu language to converse adequately with local dignitaries. These things do not win cricket matches, but they help build a spirit, and they certainly make friends. If this was all

South Africa were good at, they would soon be heading home as jolly good losers. But their attention to the details of preparation and playing is similarly thorough.

The brilliance of their field-

ing, now plainly the best in the world, relates to their methods of practice rather than any shared, natural athleticism. Their routines are designed to simulate match situations. "Intensity is the important

thing," Bob Woolmer, the coach, said. "That, and variation. We must always keep the players interested."

The laptop computer that Woolmer produces at the start of each game is now among the fascinations of the tournament. Details of every ball are logged, an extreme example of the coach's enthusiasm, though one not easily scorned. Woolmer, who might so easily have been enlisted by England, still speaks readily of his former Test captain, Mike Brearley. South Africa have employed doctors and dieticians, but, thus far, no one in the psychological field, where Brearley now works. If he was available, says Woolmer, it would be different.

England would not be so enlightened, because they remain rooted in dogma and prone to suspicion of the unknown. South Africa stride into new territory with a swagger, which is why it is easier to believe that they will break with the one-day game's law of averages and make it 13 straight wins than to credit England with the properties of Lazarus.

South Africa's victory yesterday was by a margin of 160 runs, one fewer than the contribution of Andrew Hudson. It was done professionally, dismissively, but Cronje allowed for no complacency. "We came here to win eight games," he said. "Five have been won, but the hard part is just about to begin."

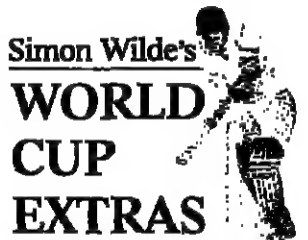
## RAWALPINDI SCOREBOARD

SOUTH AFRICA		HOLLAND	
G Kirsten c Zundari b Aponso	83	N E Clarke c Pollock b Donald	32
A C Hudson c Zundari b Aponso	161	P E Cretwell c b Matthews	23
W J Cronje c Lubbe b Cretwell	41		
D J Cullinan not out	18		
J H Kallis not out	17		
Extras (b 5, w 2)	7		
Total (5 wickets, 50 overs)	288		
B M McMillan, S M Pollock, H J Pattinson, P L Symcox, C R Matthews and A A Donald did not bat			
FALL OF WICKETS: 1-186, 2-274, 3-301, 4-397, 5-488, 6-583		FALL OF WICKETS: 1-58, 2-70, 3-81, 4-88, 5-97, 6-128, 7-138, 8-163	
SCORING: Batters: 10-1-84-0; Lubbe 6-0-50-0; de lae 10-0-58-0; Aponso 10-0-57-1; Cretwell 10-0-51-1; Gouls 2-0-32-1		SCORING: Batters: 10-1-28-0; Matthews 10-0-39-2; Donald 6-0-21-2; Cronje 3-1-3-0; Symcox 10-1-22-2; McKinnon 4-2-5-0; Kallis 2-1-30-0; Cullinan 6-0-7-0	
Man of the match: A C Hudson		Man of the match: A C Hudson	
Umpires: Khizer Hayat and S G Rendell		Umpires: Khizer Hayat and S G Rendell	

## Hesitant counties fumble hand-outs

WITH the next World Cup set for England in 1999, county clubs confident — or even just hopeful — of staging matches are already looking at how they can raise their ground capacities and enhance facilities. Unfortunately, the delay in the setting up of the English Cricket Board (ECB), which will establish for the first time a national development plan for the sport, is holding up plans for several such developments.

On Monday evening, the Sports Council deferred all decisions concerning applications for major schemes from cricketers' bodies — which



include proposals from MCC, Surrey, Hampshire and Durham — until the ECB is set up, which should concentrate minds at this week's meeting of county officials at Lord's.

"We have no overall structure within which to assess applications," a Sports Coun-

cil statement read yesterday. "The lack of a strategy gives us no clear indication about how additional money generated by increased spectator accommodation would be reinvested at the sport's grassroots level."

"The council is aware of the importance of these issues — particularly at county level and leading up to the 1999 World Cup — but we want to be sure that the sport's governing bodies are clear in which direction English cricket is going. The ECB is unlikely to be set up before 1997."

The proposals of Hampshire and Durham, though, both include grassroots development through the creation of centres of excellence. Durham are seeking clarification from the Sports Council but Hampshire's plans have received a setback. The club had planned to start work on its new playing area at Eastleigh this month. "We've lost the window for starting this year," Mike Taylor, the club's marketing manager, said yesterday.

### Worry over Cork

England's injury problems mount by the day. Monday's departing casualty was Neil Fairbrother, who headed home with a damaged hamstring; yesterday's was Dominic Cork, who left a practice session in Karachi for the local hospital and a scan on his troublesome right knee.

The scan revealed no new damage but Cork has only three days to recover before England's quarter-final tie with Sri Lanka in Faisalabad. He began 48 hours of physiotherapy yesterday and the England camp remained optimistic of Cork's prospects. Phillip Bell, the team doctor, has advised Cork to rest for at least six weeks after the tournament.



Cork's troublesome knees receive hands-on treatment

### Indignant denial

The Sri Lanka Cricket Board denied reports yesterday that its team would deliberately lose to Kenya today to take revenge on West Indies for refusing to play in Colombo. A win for Kenya would eliminate West Indies from the competition.

Ana Pundihewa, the board president, explained that the story in Kenya's *Daily Nation* had quoted unconfirmed reports on Radio Australia, thus further straining his country's fragile relations with Australia, whose team also refused to play in Colombo. "The Sri Lanka board vehemently protests at statements falsely and maliciously published without verification of their veracity," Pundihewa said.

Whatever today's result, the World Cup may have seen the last of Tariq Iqbal, the Kenya wicketkeeper whose tremulous dismissal of Brian Lara triggered last week's sensational events in Pune.

"We wanted a bit more mobility in the field and Tariq was a bit slow getting to the stumps," Jasmer Singh, the Kenya tour manager, said yesterday.

### Back page lead

At last, England have won an important match at the World Cup. The English press beat their Pakistani counterparts at the Karachi Gymkhana club by 81 runs, Derek Pringle clipping in with 58 from 15 balls, including six sixes off an over from Muzzafar Ejaz, of the *Urdu News*.

## RADIO CHOICE

# A century of mass butchery

20/20: A View of the Century — Killing. Radio 4, 7.20pm.

More's the pity, John Tusa is correct when he says that any road that threads its way through the history of the 20th century is marked by bloody milestones. They bear names such as Auschwitz, Los Alamos and Hiroshima. How could he be wrong? An estimated 70 million men, women and children were butchered by state-sponsored actions between August 1914 and April 1945. Tusa leaves it to the psychologists — perhaps in a later programme — to answer the question: what has made us so resourceful and relentless in the theory and practice of killing? His brief tonight is to record that this century will be known as the one in which men could boast of being "dutiful unto death" — so long as the death was somebody else's.

Maugham's Eye View: The Creative Impulse. Radio 4, 12.25pm.

Short though it is already, Somerset Maugham's tale of a worm (Desmond Barril) that turns and his battle-axe spouse (Sylvia Symms), whose hacking edge gets blunted, is even shorter in Neville Toller's radio version. Yet, thanks to skilful compression, little of the original's fun has been lost. The central character of the woman writer whose works are near for the phoney intellectual set but stodgy for everybody else is not diminished on air. The point is still madly made that her fame results almost entirely from her brilliant use of the semicolon. Dirk Bogarde is the storyteller, a comparatively new role for this one-time screen idol. Peter Davall

## RADIO 1

FM Stereo. 4.00am Chris Warren with the Early Breakfast Show 6.30 Chris Evans 8.00 Simon Mayo, and the Golden Hour and more confessions 12.00 Lisa 'Anson', incl at 12.30-12.45pm Newsbeat and at 1.15 the Net 2.00 Kevin Gunning 4.00 Mark Goodier, incl at 5.30-5.45pm Newsbeat, and 6.15 the Net 7.00 Evening Session, with Steve Lamacq and Mary Ann Hobbs 8.00 Radio 1's Top 10 and the 12.00pm News 10.00 Mark Radcliffe, with the Melons in session 10.45pm Wendy Lloyd, incl at 12.15am The Net

## RADIO 2

FM Stereo. 6.00am Sarah Kennedy 6.15 Pause for Thought 7.20 Wake Up to Wogan 9.15 Pause for Thought 9.30 Ken Bruce, incl at 10.00 Pick of the Hits 11.30 Sue Cook 2.00pm Debbie Thompson 3.30 Ed Stewart 5.05 Paul Hester 7.00 Jim Lloyd with Folk on 2 8.00 Merseybeat with a Mandolin (3/3) 8.30 The Richer Mix Celtic music (4/8) 8.50 Kenyon 9.30 Nigel Topping 10.30 The Remorse 12.05pm Steve Madden 3.00-6.00am Alex Lester

## RADIO 5 LIVE

5.00am Morning Reports 6.00 The Breakfast Programme 8.35 The Magazine 11.30 The News 12.05pm The News with Mark 2.05pm News on Five 4.00pm Inverdale Nationwide 5.45 Entertainment News 7.00 News Extra 7.35 Trevor Brooking's Football Night 10.05pm News Talk 11.00 Nightwatch 12.05am After Hours 2.05pm All Night

## TALK RADIO

6.00am Sandy West 7.00 Simon Bates 10.00 Jonathan King 12.00 Tommy Boyd 2.00pm Anna Rasmussen 4.00pm Scott Chisham 7.00 Sean Bolger 8.00pm Mark 10.00pm James White 1.00-6.00am Ian Collins

## RADIO 3

6.00am On Air: Hummel (Bassoon Concerto in C) Dukes (Polyaedic) First (It was a lover and his less, Let Us Garlanda Bring) Vivaldi (Concerto in C) Op 4 No 7, La Stravagancia) Sullivan (Incidental music: The Merchant of Venice) 8.00 Morning Collection with Paul Gambaccini, Tunna (La Procession del Rocio) Schubert (String Quartet No 8 in B flat) Gring (Hobgoblin Suite) 9.54 Cheliosky Encore: Godowsky (Waltz Poem No 4)

10.00 Musical Encounters: Vaughan Williams (The Call) 10.05 Aubrey (Overture: La Domino noir) Mahler (Kindertotenlieder) Sallinen (String Quartet No 3) 10.52 Four Swedish Songs: 11.04 Shostakovich (Cello Concerto No 2) Friedman (Frühlingstränen) Brahms (10 Tod. Wie bist du, Op 121 No 3)

12.00 Composers of the Week: Delibes and Massenet 1.00pm Concert Hall, Live from the Wigmore Hall, London. Lorne Anderson, soprano: 11.30-12.30am Voices (r)

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# Have you ever heard of a hero called Ted?

**T**ed Hoffman is a big man with broad shoulders and a bald head, whose job as a big-time Los Angeles defence lawyer gives him a surprising degree of natural authority. "Call for Ted!" says every low-life celebrity with blood on his hands, or powdery substances up his nose. In *Murder One* (BBC2) Ted stands with legs astride on airport tarmacs, in silhouette against an evening sun, the very picture of manly resolve. And somehow, the fact that the pink rays illuminate his prominent ears does not detract from the heroism. The avuncular name Ted does not harm him either. (In Anthony Mann's film *Heat*, the tough Robert De Niro character is called Neil, which is pretty odd too.)

So *Murder One* is the latest Steve Bochco import, and it is everything one has learnt to expect Mike Post music whips up the pulse rate, and then there's the

rest: fast editing, a tone of ultra seriousness and blue-grey photography, phones ringing incessantly in the background while good-looking people stride importantly from room to room, demanding an explanation. Since *Hill Street Blues*, the direction of each Bochco series has been increasingly sophisticated. Gone are the days, thank heaven, when every conversation was shot in the same primitive way — ie, twice (once from each side), and then spliced together. Once you had noticed it, this irritating technique was enough to make a sensitive person watch *Hill Street Blues* with their eyes closed.

So, what's *Murder One* about? Well, it's about 23 weeks long, ho, ho, so don't go missing it, as it's a continuous story. Ted (Daniel Benzali) is engaged by Richard Cross (Stanley Tucci) to defend him on a murder rap. Did Cross kill a 15-year-old girl in the

apartment building he owns? Cross says no. Ted raspingly assures his eager young team that the case against Cross is "more sizzle than steak". But Detective Polson of the LAPD (Dylan Baker) uncovers evidence, and arrests Cross. Ted and Polson smart and swipe at each other, like jacks with a piece of meat; meanwhile Cross looks shifty and keeps changing his story. Ted's office juniors scramble for the chance of "second seat" ("Me, Ted! Choose me!") which seems to mean a lot to them. It all looks very promising.

**W**hen real people are asked on television "How did that make you feel?" there is usually little time for anything complex in their replies. Last night's *Straight from the Heart* (BBC2) was therefore unusually ambitious: a series of intercut interviews with people who had

## REVIEW



Lynne Truss

committed adultery, and paid the price, and in whose memories joy, pain and guilt were inseparably mixed. Jean, an attractive woman now in her sixties, had been deserted by her Territorial Army lover soon after her husband threw her out: she had a baby; and performed lost touch with her legitimate son. But when she talked about the affair her face still lit up with the memory of love. "It was

magical," she said. "To know that a person really wants you, it enhances your whole life."

Despite years of exposure to such confessions on television, I still don't understand what persuades people to make them. Their value is undeniable, however, if they reveal how a commonplace story has singular repercussions — as was the case in all the confessions last night. Each person emerged with dignity, simply because *all* their feelings were explored. Fred and Gill started their affair when Fred was a telephone engineer and Gill a housewife. Soon they were spending all day in bed, while Gill's husband was at work.

So far, so ordinary, you might think — especially the bit about Fred hiding naked in a wardrobe when Derek came home unexpectedly in the afternoon. But then Gill became pregnant with Fred's daughter, and Derek adored the

child, thinking it his own. And Fred got divorced, and Gill developed multiple sclerosis, and finally she left Derek and took her daughter with her. It may all have been inevitable, but that didn't make it easy. "It was terrible," said Fred, running a hand across his head. "It was the most terrible part of my life."

**G**reat news. The new female locum in *Peak Practice* (ITV) has lost no time in becoming the love interest. Kissing took place at roughly 9.50pm in her second week. "What, where, how?" I said, as she released Will, smiling coyly. Lumma. As far as I could remember this was the first time they had been alone. But things happen fast in *Peak Practice*. In real life, it takes ages to achieve a blazing fire, too; or get hypothermia.

Finally, *Without Walls* (Channel 4) last night upheld its reput-

ation for cutting-edge arts coverage with two superlative half-hours each having nothing to do with the arts. Miles Kingston's *In Search of the Holy Forensic* was a naive journey through cultural history, requiring him to marvel at Catholic relics in Italy as though visiting from a distant planet, after which Tony Parsons, in *Equal but Different*, applied his mighty phrase-making brain to the issue of gender confusion, and made the notion of visiting a distant planet seem actually quite attractive.

Parsons' main beef in this silly, silly film seemed to be that drunken women were embarrassing to look at; his oh-so-provocative contention that women should stay at home and do cleaning. "You can fake an orgasm but you can't fake an erection," he said conclusively at the end — an insight of questionable persuasiveness which seemed nevertheless to make him very proud.

## BBC1

6.00am Business Breakfast (32986)  
7.00 BBC Breakfast News (CeeFax) (63167)  
9.00 Breakfast News Extra (CeeFax) (6266235)

9.30 *Can't Cook, Won't Cook* (s) (2692631)  
9.45 *Kibbly* (s) (6416186)  
10.00 *Good Morning* (s) (36631)

12.00 News (CeeFax) and weather (2543051)  
12.05pm Turnabout (s) (5966933)

12.30 Going for a Song (s) (51235)  
1.00 *O'Clock News* (CeeFax) and weather (68254)

1.30 Regional News and weather (48184083)  
1.40 *Neighbours* (CeeFax) (s) (94194709)  
2.00 *Pebble Mill* (s) (6872457)

2.40 *Snowy River — the McGregor Saga* (s) (s) (1588186)  
3.30 *Moomin* (6263761) 3.55 *Bliss* (s) (5257631) 4.10 *Rugrats* (s) (6186493)

4.35 *Out of Tune* (CeeFax) (s) (2259780)  
5.00 *Newsround* (CeeFax) (3008032)  
5.10 *Blue Peter* (CeeFax) (s) (6181878)

5.35 *Neighbours* (s) (CeeFax) (s) (849032)  
6.00 *5 O'Clock News* (CeeFax) and weather (419)

6.30 Regional News magazines (159)  
7.00 *This Is Your Life* presented by Michael Aspel, who opens the big red book on another notable life (CeeFax) (s) (7273)

7.30 *Here and Now*. Sue Lawley meets some of Britain's youngest prodigies; and Samira Guha reports on plans to import millions of tons of oil through Milford Haven (CeeFax) (s) (98458)

8.00 *How Do They Do That?* Eamonn Holmes and Penny Hill present the programme with the answers. This week features the inspiring story of a young mother who refused to accept the medical diagnosis that her son, born with a rare form of epilepsy and severe brain damage, had little chance of survival; and the Speedy lab in Nottingham, where researchers believe they have developed the ultimate swimming costume made from Teflon-coated fibres (CeeFax) (s) (396419)

8.50 *Points of View*. (CeeFax) (s) (246457)  
9.00 *Nine O'Clock News* (CeeFax) and weather (3438)

9.30 *Silent Witness: Long Days, Short Nights*. Conclusion of this two-part story starring Amanda Burton as an outspoken forensic pathologist. Dr Ryan discovers something that could split the end for the arrogant Sebastian Bird (CeeFax) (s) (396419)

10.25 *Sportnight*. Desmond Lynam, with Gary Lineker, introduces action from tonight's FA Caring Premiership matches: coverage of the ABA boxing finals from the National Indoor Arena in Birmingham; a preview of the new Formula One season by Steve Rider; and a profile of the American runner Michael Johnson (s) (2815780)

11.55 *Film: From the Hip* (1987) starring Judd Nelson, Elizabeth Perkins and John Hunt. An ambitious, unorthodox young lawyer is assigned to defend a man accused of a brutal murder. Directed by Bob Clark (CeeFax) (164964)

1.45am Weather (1261638)

**VideoPlus+ and the Video PlusCode**  
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## BBC2

6.00am Open University: Maths (9024812)  
6.25 Earthquakes (9010419) 6.50 Language and Literature (6228877)

7.15 *See Hear Breakfast News* (CeeFax and signing) (1120187)

7.30 *Singway* (s) (CeeFax) (44032) 8.00 *Run the Risk* (s) (CeeFax) (s) (5936612) 8.25 *Wishful* (s) (6367812)

8.40 *The Record* (s) (8444983)  
9.05 *Daytime on Two*: Maths (9263148)

9.25 *English Express* (9276812) 9.40 *Words and Pictures* (9519877) 10.00 *Playdays* (4951099) 10.25 *Numberline* (7201588) 10.45 *Cats' Eyes* (3744235)

11.00 *Around Scotland* (4422273) 11.20 *Music Makers* (6235877) 11.40 *Study Ireland* (4223525) 12.00 *TVE* (21506)

12.30pm Working Lunch (58377) 1.00 *The Geography Programme* (6232693)  
1.20 *Zig Zag* (82652457) 1.40 *Come Outside* (84165051)

2.00 *Wishful* (s) (s) (20940457)  
2.10 *The Andrew Neil Show* (s) (4521631)

3.00 *News* (CeeFax), regional news and weather (5494457) 3.05 *Westminster with Nick Ross* (CeeFax) (s) (6100032) 3.55 *News* (CeeFax) and weather (4427322)

4.00 *Today's the Day* (s) (612)  
4.30 *Ready, Steady, Cook* (s) (896)

5.00 *The Oprah Winfrey Show* (CeeFax) (s) (3208984)  
5.40 *A Week to Remember* (s) (654051)

5.50 *A Different Country* (598457)  
6.00 *Star Trek: The Next Generation*. Science-fiction adventures (CeeFax) (s) (221059)

6.45 *Buck Rogers in the 25th Century*. Buck tells us the evil clutches of Princess Ardala (s) (329490)

7.30 *The Car's the Star*. Quentin Wilson in praise of the Fiat 500 (s) (CeeFax) (s) (588235)

7.50 *A Bad Time to Be a Man: Whose Role Is It Anyway?* Jimmy Wales, a redundant shipyard worker turned househusband, reflects on the stereotyping of the sexes (CeeFax) (s) (478709)

8.00 *Kan Hon's Hot Wok*. More Chinese cuisine (CeeFax) (s) (1235)

8.30 *University Challenge*. Exeter University take on Liverpool John Moores (CeeFax) (s) (3070)

**Modern Times: Into the Light** (CeeFax) (s) (158815)  
9.50 *A Man's World: The Boy* (CeeFax) (s) (159693)

10.30 *Newsnight* (CeeFax) (s) (17161)

11.15 *Murder One: Chapter One* (s) (CeeFax) (s) (5324245)  
11.30 *Followed by Weather* (5324245)

12.00 *The Midnight Hour with Andrew Neil*. Political chat show (s) (47649)

12.30am-6.00 *The Learning Zone*

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## CHOICE

Travel Channel 4, 8.30pm  
There could be no better choice for a travel programme which prides itself on the personal, the idiosyncratic and the funny than the plummy voiced art critic, Brian Sewell. Set down in the medieval French town of Albi, Sewell manages to commit only three of the ten deadly sins, but he explains that it was a short stay. Being the birthplace of Toulouse-Lautrec, Albi gives Sewell a chance to indulge his expertise but he is a multipurpose visitor, equally at home with the food as the architecture. Lying on his back in the cathedral to admire the painted ceiling may seem an affectation, but on second thoughts it seems the obvious way. The actress Meera Syal hosts the supporting item, enthusing, until the snow and the loneliness start to get the better of her, about the remote beauty of Northumberland.

**Dispatches: The Torture Trail** Channel 4, 9.00pm  
Much has happened since this exposé of a particularly murky corner of the British arms trade was first shown last year. For one thing, Maryn Gregory, the producer and reporter, won a Nobel prize for her work on the Torture Trail. For another, the Torture Trail recently won an award from the Royal Television Society. Gregory's film shows how leading British companies, with the support of the Government and despite public denials, have been selling weapons overseas that can be used for torture. Fostering an arms dealer, Gregory penetrated to the heart of the arms industry and established a connection between the export of electro-shock batons and shields and torture practised by regimes such as Saudi Arabia and China. A sequel to *The Torture Trail* is being shown next week.

**Modern Times: Into the Light** BBC2, 9.00pm  
When Tower Colliery in Mid Glamorgan was declared no longer economic by British Coal, the miners decided to risk 18,000 each of their redundancy money to keep the pit open. John Alexander's sharply-observed film shows the first year in the life of the only worker-owned pit and the last deep mine in South Wales. The venture soon proves British Coal wrong by securing an export order to France and a contract with British Steel and after ten months, profits are booming. But there are rumbles from the workforce about pay differentials and murmurings about the level of executive salaries. An admiring visit from the then Welsh Secretary, John Redwood, causes the mine to reflect on whether they are running a socialist co-operative or have become darlings of the Tory free market.

**A Man's World: The Boy** BBC2, 9.00pm  
From Steve Humphries, who gave us *A Secret World of Sex and Forbidden Britain*, comes another illuminating excursion into oral history. The subject is the experience of being a man in the first half of the 20th century and the first-hand accounts, some of which go back to before the First World War, are reinforced by archive film. Boyhood is the topic tonight and Humphries' contributors have been chosen to encompass a wide range of experience. Few of these now elderly men look back on their childhoods with much affection. They were expected to be physically brave, suppress their emotions and show unquestioned allegiance to the idea of the British master race. School, whether in the public or private sector, meant rigid discipline and frequent canings and sensitive boys stood little chance in a culture which glorified fists. Peter Waymark

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Lara among possible successors

# Pressure forces Richardson into retirement

BY SIMON WILDE

RICHIE RICHARDSON, the beleaguered and exhausted captain of the West Indies cricket team, avoided the exit of his side by probably the only means available yesterday when he announced his intention to retire from the international game after the World Cup.

He made public his decision only hours before the West Indies Cricket Board of Control (WICBC) met in Antigua to nominate a captain for the series against New Zealand starting later this month. It had been widely expected that Richardson would be replaced after the manifest divisions within the team since it surrendered its 15-year unbeaten run in Test series last May, and the astonishing defeat at the hands of Kenya's amateurs last week.

Richardson said that he informed the WICBC of his decision "several days ago", which may mean that, after the humiliation against Kenya, he knew that if he did not

resign, his dismissal was inevitable. Ironically, West Indies then gave one of their best performances by beating Australia in Jaipur on Monday, Richardson scoring a brilliant 93 not out to steer his side home.

Even before West Indies'



S Africa's winning ways ... 46  
World Cup extras ... 46

decline from undisputed world champions, Richardson's form had long since collapsed under the unrelenting pressures of his job and the endless treadmill of the schedule that the West Indies board inflicts on its players. Richardson's statement, that he had made up his mind to

retire after the World Cup as long ago as the end of the tour of England last August, only confirms how long-standing is his disenchantment.

The WICBC is expected to announce early today its choice of successor. Its decision is keenly awaited in many quarters, not least because there is no long-term candidate behind whom the team is sure to unite. If the board gets the decision wrong, the decline may have only just begun.

What the board might be wise to do is to make a short-term appointment — someone such as Courtney Walsh, who led the team ably in Richardson's absence — and then begin the overdue rebuilding under a younger man with the full tour of Australia later this year. The choice might then be between Brian Lara and Jimmy Adams.

The claims of Lara, the batting linchpin of his side, are the stronger, except that it was he who was most disruptive in England. He openly criticised Richardson's leadership, walked out on the team shortly after the Old Trafford Test, and was even then waiting for the day that has now arrived. That he should get the job after also refusing, at the eleventh hour, to join the recent tour of Australia, would set a dangerous example.

Rather as Lara is now, Richardson was once a brilliant stroke-maker, capable of taking a heavy toll of any bowler, but his spirit was broken early in his four-year reign. By 1994, when he was suffering from acute fatigue, and returned to his native Antigua midway through the season.

Richardson, who first played for West Indies in 1983, took part in 86 Test matches, scoring 5,949 runs at an average of 44.39, with 16 centuries. He has also made 222 one-day international appearances, a tally only exceeded by three players, and the remaining task of this gracious, dignified man will be to take West Indies as near to winning a third World Cup as possible in the next ten days.

"I have enjoyed my 12 years of service to West Indies cricket and I think the time has come for me to make this important decision," he said. "I shall continue to support West Indies cricket 100 per cent and I am willing to serve my country in any capacity."

Meanwhile, Allan Lamb could be forced into premature retirement because of a dispute over his forthcoming autobiography. Lamb, 41, who gave up the Northamptonshire captaincy last year but intended to play on for one further season, has yet to sign a contract with the county because an agreement with HarperCollins, who are to publish his autobiography, could be in breach of Test and County Cricket Board regulations governing the vetting of players' books.



Bugner gives a pugnacious glare during a London press conference as he tries to drum up interest in his next bout

## Bugner brags way out of corner

BY SRIKUMAR SEN  
BOXING CORRESPONDENT

BOXING was taken back to the time of the fairground booths yesterday when Joe Bugner stopped by for a couple of hours in London to publicise his forthcoming bout with Scott Welch, of Shoreham, in Berlin on March 16.

In those good old, bad old days, anyone who fancied themselves with his fists and needed a bit of money could step into the ring to take on the resident pugilist and walk away with a pound or two. Similarly, Aussie Joe, 46, being in need of money after his last thrashing by Frank Bruno eight years ago, decided to step into the ring once again. The bout with Welch has had to go to Germany because the British Boxing Board of Control (BBBC) would not give Bugner a licence to box in Britain.

After the defeat by Bruno, Bugner was not heard of until a couple of months ago when he surfaced after a series of financial misjudgments to beat Vince Cervi for the Australian title. He had another bout in February when he knocked out one West Turner in three rounds but the board

did not think those opponents good enough to earn him a licence to box here.

Viewers of Sky television will be kept amused on the night of March 16 by the 18-stone Australian's efforts in Berlin as they wait to see a meaningful contest between Naseem Hamed and Said Lawal in Glasgow and Bruno and Mike Tyson in Las Vegas.

Bugner is unlikely to come to any harm against Welch, who is not exactly a ball of fire even though he holds the British Commonwealth and World Boxing Organisation (WBO) Intercontinental titles. As Welch is a small heavyweight and of little consequence in the world, beating him would mean nothing and it would not be surprising if Bugner decides to pocket the £200,000 he came for and go back into retirement again.

He looked tanned and passably trim in black and kept criticism at bay with his dimpled smile. "At my age, I can't afford to look too far ahead," he said. "I don't have any plans about what I am going to do. I have problems with my joints, and with my elbow. I have all sorts of problems, so I am taking one fight at a time."

"I won't come back here unless Frank Warren has 100 per cent assurance from this mob [the BBBC]. I don't want to give this mob even a part of my purse to sanction a fight that they don't deserve."

Bugner, who lost money invested in a vineyard and other business ventures and tried roles in cowboy movies, said that financially he was comfortable and was only having this bout to make himself more comfortable.

"I'm doing this for one reason only and that is to put myself back where I was once upon a time," he said. "It would be impossible to take the second Bugner come-back seriously. What is particularly depressing is the inflated idea of himself that he puts across in his efforts to hype his return."

He cannot really think of his listeners as nincompoops when he says even in jest: "If he [Welch] beats me, he beats a legend: the greatest fighter that this country has ever, ever had."

Welch was quick to counter: "I'm used to dealing with old people," he said. "I own old people's homes. After this fight, I'll have a room for you." Bugner's main claim to fame is that he met Muham-

mad Ali twice, gave Joe Frazier a good fight at Earls Court in 1973, beat Henry Cooper on a controversial decision and took a punch on a chin better than most British heavyweights. However, a bout between him and Lennox Lewis, Riddick Bowe or Tyson would be impossible to contemplate.

## Australian players considering switch to England

BY CHRISTOPHER IRVINE

AN EXTENSION of the ban on the breakaway Super League in Australia by the Sydney Federal Court today would hasten an anticipated exodus by as many as 40 players to rugby league in England.

Bradley Clyde, Laurie Daley and Ricky Stuart, Canberra's international trio, are among the players who are free agents, and outside the court's jurisdiction, who are considering moving to play in the European Super League, which starts at the end of this month and is unaffected by the Australian court ruling.

Long term, the prospect is one of continuing damage in the game's international dimension, unless the Australian Rugby League and Super League can agree a compromise. Yet the prospect of seeing talents such as Clyde, Daley and Stuart in this country is an enticing one for the game's supporters.

Warrington are one of three clubs to make an offer to Clyde, the Australia back-row forward. Stuart, his country's scrum half, and Daley, the stand-off half, are also being wooed by English clubs, although the big-money deals being talked of disguise the largely impoverished state of the sport in Britain.

Workington Town are no longer certain to be around for their opening Super League game, at home to St Helens, on March 31, because of another apparently failed takeover attempt.

Jim McTear, a local hotelier, and Tom Mitchell, the club's leading shareholder, could not reach agreement yesterday. "We find it impossible to move matters forward because it is not clear what Mr Mitchell wants to do," McTear said.

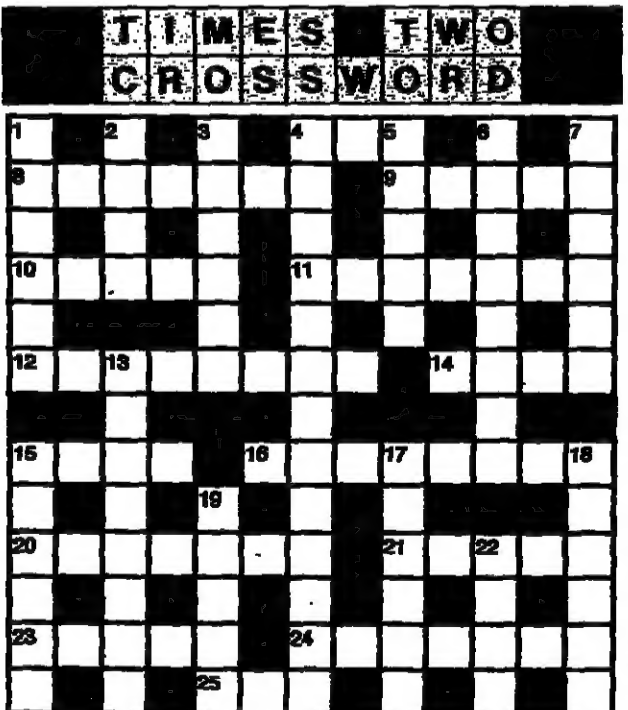
Meanwhile, the club reportedly owes the Inland Revenue £140,000 and is under threat of a winding-up order.

In the unlikely event of Workington dropping out altogether, it is not impossible that the Cumbrian club's place in the European competition could be taken up by one of two clubs specifically set up by the Australian Super League.

These are Adelaide Rams and Hunter Mariners, who have been prevented by the court from kicking off in Australia.



Richardson, right, who is giving up the West Indies captaincy after the World Cup, talks with Lara yesterday



No 722

## ACROSS

- 4 Chafe; an impediment (3)
- 8 (Ship) come to halt (5,2)
- 9 Unsecured (5)
- 10 2nd and 6th US Presidents (5)
- 11 Highly strung (7)
- 12 Farical misrepresentation (8)
- 14 Sword handle (4)
- 15 Take part in election (4)
- 16 Retaliation (8)
- 20 Sulphuric acid (7)
- 21 Go to see (5)
- 23 Conifer, red and white varieties (5)
- 24 Troglodyte (7)
- 25 Tibetan cattle; jabber (3)

## DOWN

- 1 To baulk (6)
- 2 Art movement of nihilism, incongruity (4)
- 3 One signing rental agreement (6)
- 4 (Going) all 24 hours (5,3,5)
- 5 Accidentally admit (5)
- 6 Senile chamberlain (Fleming) (8)
- 7 Wealthy fliers (3,3)
- 13 Bent, natural talent (6)
- 15 Lively (mus.) (6)
- 17 Bring back to life (6)
- 18 Dormant; unexpressed (6)
- 19 Flaming (5)
- 22 Japanese wrestling (4)

## SOLUTION TO NO 721

ACROSS: 1 Begging bowl; 8 Putto; 9 Deplete; 10 Dive; 11 Cleaners; 12 Barony; 14 Scantly; 17 Sorbonne; 19 Leda; 22 Cellini; 23 Unzip; 24 Come-uppance.  
DOWN: 1 Biped; 2 Get over; 3 Igor; 4 Cadilly; 5 Orphaned; 6 Liege; 7 Jersey; 12 Encomium; 13 Basics; 15 Muezzin; 16 In situ; 18 Relic; 20 Apple; 21 Hump.

## SOLUTION TO TIMES TWO CROSSWORD 717

IN ASSOCIATION WITH BRITISH MIDLAND  
ACROSS: 1 Magog; 7 Lateral; 8 Defiant; 9 Obadiah; 11 Loafers; 13 Sang-froid; 15 Joan of Arc; 19 Tariff; 21 Mongrel; 23 Amateur; 24 Sell-out; 25 Ditty.  
DOWN: 1 Medal; 2 Guffaw; 3 Graves; 4 Alto; 5 Reader; 6 Bavaria; 10 Bogart; 12 Raffle; 14 Colonel; 16 Niggle; 17 Canard; 18 Silent; 20 Foray; 22 Late.

1st PRIZE of a return ticket travelling economy class to anywhere on BRITISH MIDLAND's domestic or international network is R.A. Ebrune, Southsea, Hampshire.

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## Changes on the cards in netball

Louise Taylor looks at possible moves  
to drive growing violence off the court

The rugged and increasingly ruthless sport of netball could soon be subjected to a rigorous new disciplinary code. Plans to combat growing violence in the sport by introducing a yellow and red-card system similar to that employed in football are being piloted in New Zealand. If successful, the code will be introduced worldwide next year.

The illegal use of the elbow is one of the sport's mounting problems. Travelling with the England squad during last summer's world championships in Birmingham, I heard players describe a rival team as "absolute animals".

Several players from various competing countries departed with the scars to testify their involvement in a game which is not for the faint-hearted. The need to restore discipline is due to be addressed back in Birmingham this July when the Interna-

tional Federation of Netball Associations (IFNA) meets. New Zealand are expected to make an impassioned plea for change. Altering the rules is likely to appeal to a number of countries, England included. Liz Nicholl, chief executive of the all-England Netball Association (AENA), could endorse New Zealand's proposals at a rules review next year.

"I think the New Zealand pilot sounds very positive," Nicholl said. "The international conference next year could serve as a positive opportunity for keeping up with the changing requirements of spectators, television, sponsors and, above all, the athletes themselves. We have to stay in touch with the spirit of the times and look for

ways to improve netball while staying faithful to the original."

Netball has evolved appreciably in its 101-year history and should not be expected to stand still now. As Betty Galsworthy, a former England coach, said yesterday: "I think there is a need for yellow and red cards because some players are constantly breaking the rules and disrupting the game."

Sendings-off — for rough and dangerous play — were introduced six years ago, but remain rare. Some say umpires should use their powers more readily and introducing cards may encourage more dismissals.

"Discipline has become a problem as the game has got more competitive," Anne

Steele, an IFNA executive officer, said. "A lot goes on off the ball and behind the umpire's back, such as tripping, elbowing and pushing."

On the more creative side, other proposals include moving the goalposts away from the back-lines to permit shooting from 360 as opposed to 180 degrees and dividing the court into two instead of three. At present, players are restricted to one or two of the three zones, but may in future be afforded greater freedom and thus increased improvisational licence.

These, largely cosmetic, innovations would restrict the use of the umpire's whistle and stoppages. Significantly, television producers have frequently told officials that this needs to be reduced and Nicholl agreed: "There is far too much whistle at the moment. It upsets spectators and is something we need to address."

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